### The Folley Swindon Road Cheltenham

Planning Application for 122 dwellings Ref No: 24/00399/FUL.

The revised planning application has been submitted to Cheltenham Council.

We object to this revised application on the following grounds. (Closing Date 5th December 2024)

No traffic management or access information for HGV vehicles has been provided for the proposed build.

Danger to human life due to narrow paths and the current daily volume of traffic, increasing during race meets. Road infrastructure currently insufficient for purpose.

Significant noise and air pollution in an already populated area in close proximity to Gardners Lane School.

There is significant loss of sport pitches, which are needed for local clubs and people.

There would be a significant loss of wildlife habitat and wildlife: (no proposed rehoming or provision has been included in the application)

With 4300 homes to be built on the adjacent Elm Park development, the lossofThe Folley open green space, which is a vital mental, emotional and physical asset for local people will be hugely damaging.

There is concern that the increase in traffic on an extremely busy road, which is already a traffic accident area, will lead to more damage and potential injury.

We the undersigned object to this planning proposal.

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# The Folley Swindon Road Cheltenham. Objection Petition

Planning Application for 122 dwellings Ref No: 24/00399/FUL.

The revised planning application has been submitted to Cheltenham Council.

We object to this revised application on the following grounds (closing date 5th December 2024).

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Danger to human life due to narrow paths and the current daily volume of traffic increaseing during race meets. Road infrastructure currently insufficient for purpose

Significant noise and air pollution in an already populated area in close proximity to Gardeners Lane school.

There is significant loss of sports pitches, which are needed for local clubs and people

There would be a significant loss of wildlife habitat and wildlife; (no proposed re homing or prevision has been included in the application).

With some 4300 homes to be built whe adjacent Elms Park development, the loss of the Folley open green space, which is a vital mental, emotional and physical asset for local people will be hugely damaging;

There's concern that the increase in traffic on an extremely busy road which is already a traffic accident area, will lead to more damage and potential injury.

We the undersigned object to this planning proposal:

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Name	City	State	Postal Cod	Country	Date	Comment
	Barnsley	England	S70	UK	#######	"The whole area is to congested as it is. We
	(Cheltenha	I England	GL51 9LH	UK	#######	"Building house's on green space will displac
	n Cheltenha	I England	GL50 4Sp	UK	#######	"I am totally against this 112 housing projec
	glos	England	g l519jp	UK	#######	"I'm against the development. The road just
	€ Cheltenha	England	GL50	UK	#######	"The roads around here are manic during ru
	Glouceste	r	GL4	UK	#######	"I am opposed to development of all our gre
	Falmouth	England	tr11 3lq	UK	#######	"As important as it is to build new and affor
	r Cheltenha	: England	GL504SG	UK	#######	"You are not building a school or doctors for
	stroud	England	gl5 3px	UK	#######	"Our green spaces must be protected. Ther
	Cheltenha	England	GL50	UK	#######	"I'm not opposed to housing but I am oppos
	r GLOUCES	ΓEngland	GL504SD	UK	#######	"The Folley, a green space cherished by mar
	i Cheltenha	: England	gl519lf	UK	#######	"The Folley backs on to the back of our hou:
	r Glouceste	r	GL4	UK	#######	"God help us. The Russians are threatening
	e Cheltenha	I England	GL50	UK	#######	"This area is important to local residents an
	Cheltenha	England	GL50	UK	#######	"We must fight for these green spaces and t
	r Cheltenha	England	gl50 4rt	UK	#######	"Green spaces need to be protected for wild

ce all the wildlife in the area. With no new roads or infrastructure these houses will only add to the already cle t for numerous reasons! Excess traffice on already too busy inadequate roads, not enough child spaces at the cannot take the amount of traffic this will bring. Side Roads are already struggling and there are a couple of d ish hours, the infrastructure can not cope with more traffic! With the other new developments in Swindon villa

dable housing we also need to protect our green spaces. This green space provides essential habitats to wildli r the people who will be living there!!! The schools are already full!!! Build proper infrastructure!!!!!!"

sed to the overcrowding of an already highly populated area. Hence turning it into a ghetto ,with additional st ny local residents and host to various sporting activities, is under threat. This land not only serves as a leisure sy se and we are the only houses at the back that will be over looked as looking at plans the other houses will be World War 3 and the builders want to build in every green inch of this country. We need to address the issue d local wildlife in an area that is built up and congested. There are better brownfield sites in Cheltenham that

school, entrance on an already dangerous bend on a narrow road! loss of green space, environmental issues langerous junctions as it is. The loss of green space is just heartbreaking also the loss of wildlife if this goes ahe age it's going to bring carnage! The green space is beautiful and home to so much wildlife, we need to save so

ife, as well as provides an outdoor space for us to enjoy, play and exercise in. We do not need to squeeze cook

rain on the local services that are already struggling. With no A & E in Cheltenham it is not suitable. By all meapace but is also a habitat for badgers, slow worms, bats, and foxes. Several trees on this property hold a presended on when I asked if this can be changed no one has wanted to listen. The traffics also a massive problem in

like excess air pollution, flooding and the poor wildlife that live in and around the folley why are they not protead. The amount of cars this development will bring is more than the Swindon Road can cope with."
tie cutter houses into the smallest of gaps, changing the landscape for generations to come and creating conge
rvation order, emphasising its significance as an ecological refuge within Cheltenham. Too many green spaces 1 an already busy built up area with side roads full of parked cars. The wildlife is also at risk we have bats and f



Name	City	State	Postal Cod	-	Signed On
	se		00	UK	########
	Cheltenha	_	GL50	UK	########
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	glos	England	g l519jp	UK	########
	Cheltenha	_	GL50 4RS	UK	########
	Cheltenha	_	GL50 4SD	UK	########
	Cheltenha	•	GL52	UK	########
	Cheltenha	England	GL519lf	UK	########
	Cheltenha	England	GL50 4SD	UK	########
	Cheltenha	England	GL51 9LF	UK	########
	Cheltenha	England	GI50 4SS	UK	#######
	Mexborou	England	S64	UK	########
	Cheltenha	England	GI50 4SP	UK	########
	Plymouth		PL4	UK	########
	Cheltenhai	England	GL51	UK	########
	Southamp	England	SO45	UK	########
	Cheltenha	England	GL51 9LH	UK	########
	Cheltenha	England	GL51	UK	########
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	Cheltenha	_	GL51	UK	########
	Gloucester	_	GL4	UK	########
r	Ormskirk		L39	UK	########
	Gloucester	_	GL4	UK	########
	cheltenhar		gl50 3je	UK	########
	Royal Lean	_	CV31	UK	########
	Newbury	_	RG20	UK	########
	Cheltenha	_	GL51	UK	########
	Cheltenha	_		UK	########
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	Gloucester	_	GL1	UK	########
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	Cheltenha	_	GL52	UK	########
	Gloucester	_	GL4	UK	########
	Kiddermin	_	DY10	UK	########
	Cheltenha	_	GL51	UK	########
	Gloucester		GL3	UK	########
	Wolverhar	•	WV1	UK	########
	Gloucester	_	GL1	UK	########
	Cheltenha	_	GL50	UK	#######
	Cheltenha	England	GL51	UK	########
	Bristol		BS1	UK	########
	Chazelles		16380	France	########

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Bristol	England	Bs15 3ju	UK	#######
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Glasgow	Scotland	G42	UK	########
Cheltenhail	England	GL51 9JB	UK	#######
Glasgow	Scotland	G32	UK	########
Gloucester		GL3	UK	#######
Gloucester		GL4	UK	#######
Gloucester		GL1	UK	########
Cheltenhail	England	GL53	UK	########
Tewkesbur	England	GL20	UK	########
Cheltenhail	England	GL51	UK	#######
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Cheltenhail	England	GL51	UK	#######
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Birmingha	England	B11	UK	#######
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i Cardiff	Wales; Cyr	CF24	UK	#######
ı Gloucester		GL1	UK	########
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Cheltenhail	England	GL50 4RH	UK	#######
. Wittenbach	1	9300	Sweden	#######
Salisbury	England	SP5	UK	#######
Minehead	England	TA24	UK	#######
Cheltenhail	England	GL51	UK	#######
Gloucester		GL3	UK	########
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Leeds	England	LS8	UK	########
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Cardiff	Wales; Cyr		UK	########
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, Camden	Ü	NW1	UK	########
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Cheltenha	England	GL51	UK	#######
Newport	Wales; Cyr	NP19	UK	#######
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Cheltenhai	England	GL53	UK	#######
Cheltenha	England	Gl51	UK	#######
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Cheltenha	England	GL51	UK	#######
Hamburg		20144	Germany	#######
Camden	England	NW1	UK	#######
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Bristol	England	BS16	UK	#######
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	WA2	UK	#######
Tewksbury England	Gl207rx	UK	#######
stroud England	gl5 3px	UK	#######
gloucester England	gl28eb	UK	#######
Bargoed Wales; Cyr	CF81	UK	#######
Mouroux	77120	France	#######
Cheltenha <sub>l</sub> England	GL50	UK	#######
Gloucester	GL1	UK	#######
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Gloucester	GL4	UK	#######
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Gloucester England	GL51	UK	#######
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Cheltenha <sub>l</sub> England	GL50 4RF	UK	#######
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Gloucester Wales; Cyr	GL4	UK	#######
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Gloucester	GL3	UK	#######
Gloucester England	GL2	UK	#######
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Gloucester England	GL3	UK	#######
Slough	SL1	UK	#######
Stroud	GL5	UK	#######
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Georgetown		Malaysia	#######
r Szatymaz		Hungary	#######
Camden England	NW1	UK	#######
Coventry	CV1	UK	#######
Cheltenha Wales; Cyr	NP11	UK	#######
Cheltenha England	GL50	UK	#######
Cheltenha <sub>l</sub> England	GL50 4RS	UK	#######
Cheltenhai England	GL52	UK	#######
Munich	81667	Germany	#######
Cheltenha <sub>l</sub> England	GI50	UK	#######
Gloucester	GL2	UK	#######

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r Cheltenhai	England	GL519JB	UK	########
Birmingha	England	B13	UK	########
a Northampt	ton	NN1	UK	########
e Gloucester	England	GL3	UK	########
ł Bromsgrov	England	B61	UK	########
Camden	England	NW1	UK	########
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r Ware	England	SG12	UK	########
gTuffley	England	GL4 OLS	UK	########
չ Cheltenha։	•	Gl510ej	UK	########
, ıl Fulham	England	W12	UK	########
k Worcester	•	WR8 OBS	UK	########
r Swindon	0	SN1	UK	########
a Chadlingto	England	OX7 3LQ	UK	########
۱ Cardiff	Wales; Cyr		UK	########
lı Norton	England	GL2 9NE	UK	########
i Evesham	England	WR11	UK	########
Ampney C	_	GL7 5TE	UK	########
Swindon	0	SN1	UK	########
Cirenceste	England	GL7 1JP	UK	########
Gloucester	_	GI2 2ar	UK	########
Tetbury	England	GL8 8SR	UK	########
Broadway	•	WR12	UK	########
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Swindon		SN3	UK	#######
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# The Planning Inspectorate

An Executive Agency in the Department of the Environment and the Welsh Office

Room 1404 Tollgate House Houlton Street Bristol BS2 9DJ

Direct Line 0272-218927 Switchboard 0272-218811 Fax No

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David Hicken Associates Chartered Town Planners Southgate House High Banks Loose MAIDSTONE Kent ME15 OWO

Your Ref:

MFP/1875/1879

Our Refs:

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12 MAR 93

Gentlemen

TOWN AND COUNTRY PLANNING ACT 1990, SECTION 78, SCHEDULE 6; PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) ACT 1990, SECTION 20 AND SCHEDULE 3

APPEALS BY CHELTENHAM & GLOUCESTER COLLEGE OF HIGHER EDUCATION APPLICATION NOS: CBC 0184/00; CB 18624/03; CB 18622/01

- As you know, I have been appointed by the Secretary of State for the Environment to determine the above mentioned appeals. These appeals are against the failure of the Cheltenham Borough Council to determine, within the prescribed periods, applications for:
  - A. conservation area consent for the demolition of the chapel, 2 lecture rooms, student union, 2 storage buildings and double garages, plus alteration works associated with the erection of a new Central Complex;
  - planning permission for the erection of a Learning Centre building and for the erection of a Central Complex building including lecture rooms, hall and student union facilities, plus the provision of parking, landscaping and ancillary works:

both on land at The Park Campus, The Park, Cheltenham; and

outline planning permission for the erection of a 350 place student residence and a replacement sports pavilion, plus the provision of car, coach and cycle parking and ancillary works;

on land at The Folley, Swindon Road, Cheltenham.



## APPEAL A: THE PARK: CONSERVATION AREA CONSENT

- 38. As I have already indicated, no significant objection to the demolition of the existing teaching and student union buildings within the College Campus at the Park was raised at the inquiry. They comprise a number of small modern structures of no architectural merit, which are insignificant in relation to the Campus as a whole and in views from outside it. They add nothing, I conclude, to the present character or appearance of the conservation area.
- 39. Policies 118 and 119 of the adopted Local Plan say that permission to demolish buildings in a conservation area, which are not of the 19th century or earlier and therefore making a contribution to the area, will not normally be given until detailed development proposals have been approved and contracts signed for that development. That latter point echoes the advice in Circular 8/87.
- 40. I have already decided, in relation to Appeal B, that the Central Complex should be granted planning permission and that the replacement of the existing buildings would enhance the conservation area. Subject, therefore, to conditions tying the consent to the letting of a contract for redevelopment, and to protect visually significant trees close to the existing buildings, I conclude that consent to demolish would be consistent with the Local Plan and would thus be appropriate.

# APPEAL C: THE FOLLEY: OUTLINE PLANNING PERMISSION

- 41. From my visit to the site and its surroundings and from my consideration of the evidence and representations, I have come to the conclusion that the main issues in this appeal are:
  - a] whether the proposed development would result in a loss of a significant open space, such as to erode the visual amenities of the locality to an unacceptable degree; and whether the need for student accommodation outweighs any harm so caused;
  - b] whether a safe visibility splay can be achieved at the junction of Gardners Lane and Swindon Road, having regard to the effect on trees;
  - c] whether the proposed development would result in an overdevelopment of the site, such as to significantly diminish the working and learning environment of the nearby schools and animal shelter, having regard particularly to traffic congestion and daylighting.

rationalisation plans. As a material consideration, I note that Policy GE2 of the draft replacement Local Plan would permit the loss of open spaces if it is development essential to the town for which there is no acceptable alternative. Unlike the situation at The Park in Appeal B, I am not convinced that the proposed development has to be provided on this site, which is not directly related to College teaching premises. I heard evidence, for example, that there are alternative sites which may be able to be developed in Cheltenham, although I note that the Council have not identified any in the draft Local Plan. It is also relevant that the urgency to build new flats has partly created in the short term by the disposal policy being followed by the College with respect to existing student accommodation.

47. I conclude, therefore, that the proposed development would result in a loss of a sense of openness which would be significant for the town, such as to erode the visual amenities of the locality to an unacceptable degree; and that the need for student accommodation does not outweigh the harm so caused. That loss would not be in accord with Policy 103 of the Local Plan - nor the principles of Planning Policy Guidance Note 17, which stresses the value of open space in urban areas, even if it is not accessible to the public for active recreation.

#### Other issues

- 48. My conclusions on the first issue raise matters of principle which inevitably must lead to the application being refused planning permission. I turn, therefore, more briefly to the other issues.
- 49. On my second issue, access to the development would be via the existing Gardners Lane, a private track serving the present pavilions, two schools and a day centre, and an animal welfare centre. Visibility at the junction with Swindon Road (a local distributor carrying a significant volume of traffic) is sub-standard. It is proposed to limit the additional traffic (and hence the number of parking spaces) to the flats by enforcing a ban on students having cars whilst in residence. That is the subject of College regulations and a S.106 unilateral obligation, completed before the end of the inquiry [Doc.49]. It is also proposed, as a part of the development, to improve the width and surfacing of Gardners Lane and to improve the visibility at the Swindon Road Junction by opening up the corner and demolishing an existing
- 50. However, in order to achieve a full standard of 4.5m x 90m it would be necessary to fell existing trees along Swindon Road, trees which make a significant contribution to the character of the area. It would, however, be possible to keep the trees within the splay (as can be permissible within the County Council's standards). That would result in a clear

visibility of  $2.4m \times 60m$  and intermittent visibility beyond that. The Council are opposed to this, pointing to the danger of cyclists and other road user being hidden from view behind the trunks.

- 51. The improvements to the access are to be welcomed, and the limitations on vehicular use from a car ban (the pavilion replacement would not necessarily benefit from that but that access exists now in a more dangerous form) would limit the risk for car users. However, it is College policy, in pursuit of their environmental strategy, to encourage cycling between campus and residences. Cycle racks are to be provided. Although, therefore, there are benefits to existing users from a realigned (if still sub-standard) access, I remain concerned that slower moving cyclists using the junction would be at sone risk if the trees remain within the visibility splay. To lose the trees would be very damaging to the character of the area.
- 52. I conclude, therefore, that a safe visibility splay would not be achieved at the junction of Gardners Lane and Swindon Road, having regard to the effect on trees.
- 53. Turning to my third issue of overdevelopment thee improved Gardners Lane includes a proposals (also covered by the S.106 undertaking) to provide dedicated parking spaces for the staff of the school and day centre who currently park on the lane. There is concern that that would still result in congestion at peak times of the school day, when that potential problem is added to the limited turning facilities provided for coaches at the lane end. On balance, I regard the package of improvement to be of benefit rather than a harm The limited use of the pavilion by traffic, the new car parking spaces, the improved road surfacing and separate footpaths all point to a better situation than now, without congestion given the differing times of use of the various users of Gardners Lane.
- 54. A final point of concern, to Elmfield School, is the effect of the flats on daylighting and sunlighting within the classrooms across the lane. The classrooms rely on light from the west only and their existing levels of illumination are limited. However, that is partly due to the existing trees along Gardners Lane which would mostly remain, with the flats beyond. A thorough analysis of the daylighting and sunlighting levels to be expected from two alternative forms of flat development has been carried out by the appellant's architect, using the latest guidance from the Building Research Establishment. From that and my own assessment on site, I am satisfied that there would be no significant loss of daylight, view of the sky or sunlight within the Junior School classrooms.
- 55. I conclude, therefore that the proposed development would not result in an overdevelopment of the site, such as to significantly diminish the working and learning environment of

the nearby schools and animal shelter, having regard particularly to traffic congestion and daylighting.

### Overall Conclusion

- 56. The adopted Local Plan seeks to secure the retention of important open spaces in Cheltenham. I regard the survival of an uninterrupted view across The Folley as being an essential part of such a space. In addition, development of the scale proposed for students would (despite measures to alleviate overdevelopment, traffic congestion and conflict) result in an unsafe access to Swindon Road. I find no other material considerations which offset those harmful effects.
- 57. In arriving at my decision to dismiss this appeal, I have had regard to all the other matters raised at the inquiry and in representations to me, including noise from the animal shelter affecting the residents of the flats, and noise from the schools. Those potential problems could be alleviated by the detailed design of the flats. However, neither that, nor any other of the matters raised, are of such weight as to affect my decision.

## FORMAL DECISIONS : APPEALS A & B: THE PARK

- 58. For the reasons given above and in exercise of the powers transferred to me I hereby allow Appeal A and grant conservation area consent for the demolition of the chapel, 2 lecture rooms, student union, 2 storage buildings and double garages, plus alteration works associated with the erection of a new Central Complex, on land at The Park Campus, The Park, Cheltenham; in accordance with the terms of the application (No. CBC 0184/00) dated 13 December 1991 and the plan (Dwg.No. CC.L.01.05.A) submitted therewith, subject to the following conditions:
  - 1. the works hereby permitted shall be begun before the expiration of 5 years from the date of this letter;
  - 2. the demolition hereby permitted shall not be undertaken before a contract for the carrying out the works of redevelopment of the Central Complex site has been made and for which planning permission has been granted under reference CB.18624/03;
  - 3. the demolition hereby permitted shall not be carried out until measures for the protection of trees to be retained on the Central Complex site or adjacent to it have been implemented, in accordance with details to submitted to and approved by the local planning authority before such measures are taken and in accordance with the advice in BS.5837:1991 or any British Standard as shall supercede it.

### The Folley Swindon Road Cheltenham

Planning Application for 122 dwellings Ref No: 24/00399/FUL.

The revised planning application has been submitted to Cheltenham Council.

We object to this revised application on the following grounds. (Closing Date 5th December 2024)

No traffic management or access information for HGV vehicles has been provided for the proposed build.

Danger to human life due to narrow paths and the current daily volume of traffic, increasing during race meets. Road infrastructure currently insufficient for purpose.

Significant noise and air pollution in an already populated area in close proximity to Gardners Lane School.

There is significant loss of sport pitches, which are needed for local clubs and people.

There would be a significant loss of wildlife habitat and wildlife: (no proposed rehoming or provision has been included in the application)

With 4300 homes to be built on the adjacent Elm Park development, the lossofThe Folley open green space, which is a vital mental, emotional and physical asset for local people will be hugely damaging.

There is concern that the increase in traffic on an extremely busy road, which is already a traffic accident area, will lead to more damage and potential injury.

We the undersigned object to this planning proposal.

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### The Folley Swindon Road Cheltenham.

### Object Petition

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We the undersigned object tothis planning proposal:

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