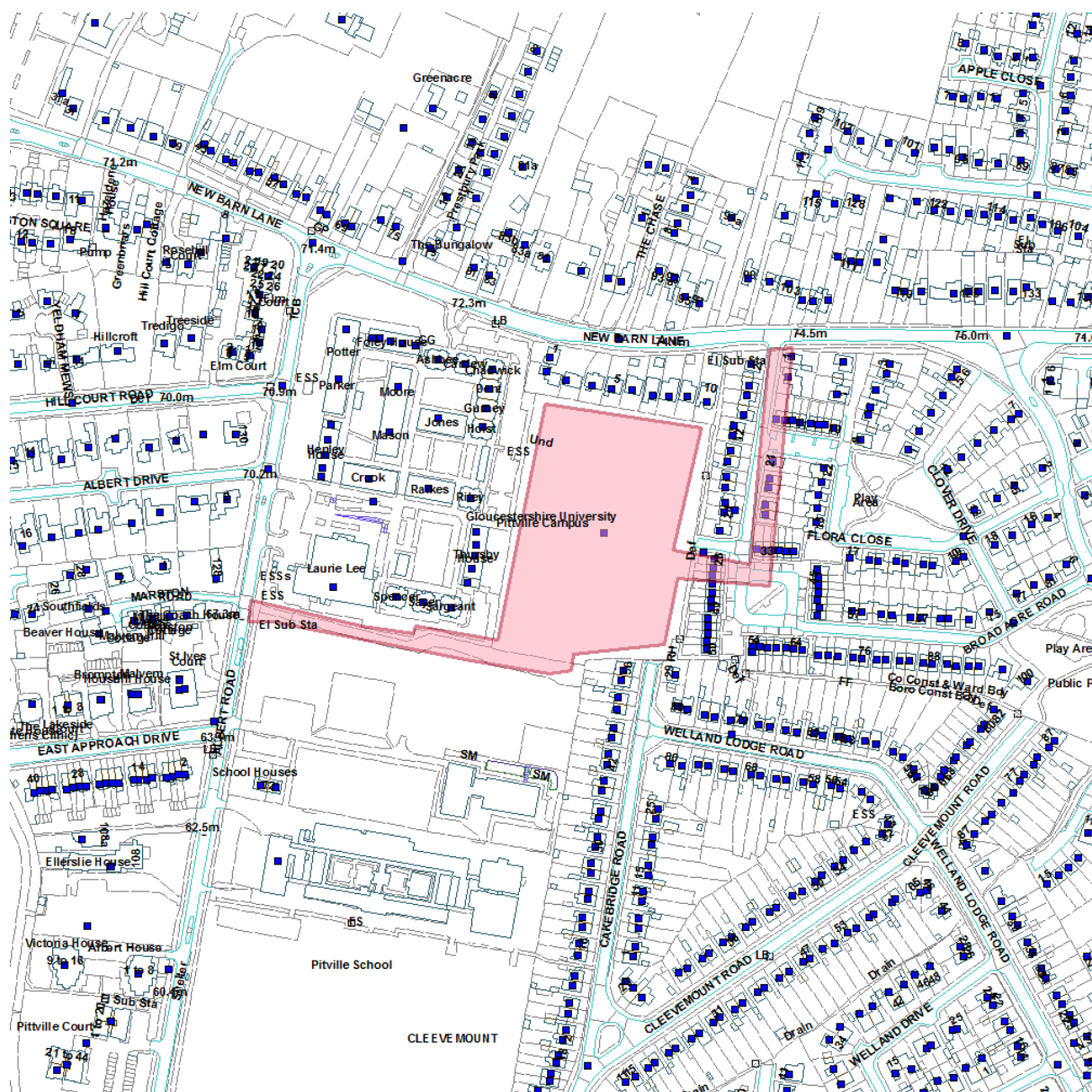


APPLICATION NO: 25/00780/FUL	OFFICER: Mrs Lucy White
DATE REGISTERED: 16th May 2025	DATE OF EXPIRY: 15th August 2025/Agreed Extension of Time Until 5 th January 2026
DATE VALIDATED: 16th May 2025	DATE OF SITE VISIT:
WARD: Pittville	PARISH:
APPLICANT:	Newland Homes Ltd
AGENT:	
LOCATION:	Pittville School Albert Road Cheltenham
PROPOSAL:	Full application for the erection of 58 residential dwellings including access, parking, landscaping and associated works.

RECOMMENDATION: Permit subject to a 106 Obligation



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1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1** The application site comprises a former school playing field, a strip of land following the boundary with the University of Gloucestershire and land associated with the adjoining Starvehall Farm development.
- 1.2** The site is enclosed by gardens of properties in Greenfields/New Barn Lane to the north, the University of Gloucestershire Pittville Campus (student village) to the west, properties in Broad Acre Road to the east boundary, and the remaining Pittville school grounds and buildings to the south. The boundaries include trees, shrubs and mature hedging; however, the rear gardens of properties in Greenfields that back onto the site are largely open, with some dwellings having minimal vegetation along boundary fences. The land is relatively flat and currently landlocked with no public access.
- 1.3** Although the housing element and built form of the proposed development lie outside of the conservation area, the southernmost parts of the application site, adjacent to the University's Student Village, fall within the Pittville Character Area of Cheltenham's Central Conservation Area. In addition, the main school building at Pittville School is included in the Council's Index of Buildings of Special Interest. A portion of the site falls within Prestbury Parish.
- 1.4** The playing field has not been used by the school for sports activities since 2009. Pittville School has secured Government (DfE) Section 77 approval to dispose of this land to raise a capital receipt to build a new replacement indoor sports hall.
- 1.5** The application seeks full planning permission for the erection of 58 residential dwellings including access, parking, landscaping and associated works. Two new footpath connections to Albert Road and Cakebridge Road are also proposed, alongside various biodiversity enhancements.
- 1.6** There is relevant planning history associated with the proposed development. Outline planning permission was granted in 2016 for the erection of up to 58 dwellings (ref. 15/01163/OUT). This outline application was submitted in parallel with an application proposing the erection of an indoor sports centre, artificial turf pitch, tennis courts, floodlighting, associated parking and landscaping and including demolition of two dwellings (ref. 15/01162/FUL subsequently amended in 2019 by 18/02493/FUL). These applications were determined concurrently; the proposed housing development intended to fund the new sports facilities for the school with no cost to the Local Education Authority. Reserved matters approval was granted in 2021 (ref. 18/00053/REM).
- 1.7** The above planning consents were not implemented and both are now time expired. In April this year, the County Council (as the determining authority) granted full planning permission for the erection of a new sports hall and floodlit artificial pitch on land/playing fields to the front of the main school buildings. Construction works associated with this development have started.
- 1.8** In response to concerns raised by officers and consultees, there have been a number of scheme revisions during the course of the application, and these are discussed in the relevant sections of this report.
- 1.9** This application is being determined by the Planning Committee following the Parish Council's objection to the proposed development. Their concerns can be read in full in the Consultee section at the end of the report, but in summary are focused on the following suggestions for improvements to layout, access, infrastructure provision and mitigation measures:
 - Provision of a linked and ecologically functional wildlife corridor

- Inclusion of on-site community and play facilities to reduce demand on nearby facilities
- Comprehensive review and redesign of traffic access and pedestrian safety, particularly in relation to Broad Acre Road
- High-density housing and scale of development inappropriate for this site with resultant harm to amenities of neighbouring properties. Layout adjusted to relocate the larger properties away from existing large detached houses on adjoining land.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Conservation Area
Principal Urban Area

Relevant Planning History:

14/00804/PREAPP 23rd July 2015 CLO

Residential development on school playing field (to facilitate a new sports centre for the school)

15/01162/FUL 23rd March 2016 PER

Erection of indoor sports centre, artificial turf pitch, tennis courts, floodlighting, associated parking and landscaping and including demolition of two dwellings.

15/01163/OUT 11th April 2016 PER

Outline application for the erection of up to 58 dwellings (approval sought for means of access with other matters reserved)

18/02493/FUL 28th August 2019 PER

Erection of new sports hall, all-weather floodlit (3G) football pitch, tennis courts and associated parking and landscaping, including demolition of 2 no. dwellings (revision to planning permission 15/01162/FUL).

19/00053/REM 18th March 2021 APREM

Application for approval of reserved matters (appearance, landscaping, layout and scale) pursuant to outline planning permission 15/01163/OUT for the erection of up to 58 dwellings with associated infrastructure and landscaping.

24/01848/DEEM3 12th February 2025 OBJECT

Erection of a new 2 storey block to provide a 4-court sports hall, dance studio and fitness suite with changing facilities and ancillary spaces, external works to include provision of a floodlit sports pitch, with associated landscaping.

3. POLICIES AND GUIDANCE

National Planning Policy Framework

Section 2 Achieving sustainable development

Section 4 Decision-making

Section 5 Delivering a sufficient supply of homes

Section 8 Promoting healthy and safe communities

Section 9 Promoting sustainable transport

Section 11 Making effective use of land

Section 12 Achieving well-designed places

Section 14 Meeting the challenge of climate change, flooding and coastal change

Section 15 Conserving and enhancing the natural environment

Section 16 Conserving and enhancing the historic environment

Adopted Cheltenham Plan Policies

D1 Design

D3 Private Green Space
BG1 Cotswold Beechwoods Special Area Of Conservation Recreation Pressure
SL1 Safe and Sustainable Living
GI2 Protection and replacement of trees
GI3 Trees and Development

Adopted Joint Core Strategy Policies

SP2 Distribution of New Development
SD3 Sustainable Design and Construction
SD4 Design Requirements
SD8 Historic Environment
SD9 Biodiversity and Geodiversity
SD10 Residential Development
SD11 Housing Mix and Standards
SD12 Affordable Housing
SD14 Health and Environmental Quality
INF1 Transport Network
INF2 Flood Risk Management
INF3 Green Infrastructure
INF6 Infrastructure Delivery
INF7 Developer Contributions

Supplementary Planning Guidance/Documents

Central conservation area: Pittville Character Area and Management Plan (July 2008)
Index of buildings of Local Interest SPD (2007)
Cheltenham Climate Change (2022)

4. CONSULTATIONS

See appendix at end of report

5. PUBLICITY AND REPRESENTATIONS

Number of letters sent	290
Total comments received	32
Number of objections	30
Number of supporting	0
General comment	2

5.1 Letters were sent to 290 neighbouring properties. In addition, site notices were displayed in Broad Acre Road, Albert Road, Cakebridge Road and New Barn Lane and an advertisement was published in the Gloucestershire Echo.

5.2 At the time of writing, total of 32 representations have been received, all either objecting or providing general comments on the proposed development. The main issues raised include, but are not limited to, the following:

- Loss of playing field and green space
- Increase in traffic on local road network, notably Broad Acre Road and parking congestion. Insufficient parking proposed.
- Pedestrian safety in Broad Acre Road
- Alternative access to the site via Albert Road not considered

- Suitability of access and capacity at Broad Acre/New Barn Lane junction
- Noise and disturbance during construction phase
- Overlooking into neighbouring properties and loss of privacy, light and overshadowing
- Loss of ecological habitats, impact on Starvehall Farm wildlife corridor and no extension of wildlife corridor
- Size, scale and number of houses proposed inappropriate for this site
- 10% on site biodiversity net gain not achieved
- Impact on local, community services and school capacity
- Footpath link to Cakebridge Road is unnecessary.
- No children's play area proposed
- The sale of the playing field should not be used to fund the new sports hall
- Proposed pedestrian link to Albert Road is a positive addition, but should be upgraded to a cycleway

6. OFFICER COMMENTS

6.1 Determining Issues

6.2 The principle of the loss of the school playing field and the redevelopment of the site to provide up to 58 new dwellings is established through the previous grant of outline planning permission and reserved matters approval. The relevant planning history associated with this site is therefore a material consideration of this application.

6.3 Although the current application proposals are similar in housing numbers and layout, a different housebuilder has come forward to deliver the previously approved 58 dwellings. The key issues for consideration (in no particular order of importance) are therefore:-

- Updated Planning Policy Framework and Principle of Development
- Affordable Housing and Housing Mix generally
- Access, Parking, Traffic, Highway Safety
- Architectural Design and Layout
- Potential Impact on the Amenities of Neighbouring Land Users
- Impact on Significance of Designated and Non Designated Heritage Assets
- Sustainability and Climate Change
- Drainage and Flood Risk
- Ecology, Green Infrastructure and Biodiversity Net Gain
- Trees and Landscaping
- Habitat Regulations Assessment and Recreational Pressure on the Beechwoods SAC
- Community Infrastructure Provision – Education, Libraries and Play Facilities
- Other considerations – Waste Minimisation, Archaeology and Utilities

6.4 Principle of Development/Planning Policy Context

- 6.5** Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that applications for development must be determined in accordance with the development plan, unless material considerations indicate otherwise.
- 6.6** The relevant policy documents are the adopted Cheltenham Plan (2020) (CP), the adopted Joint Core Strategy (2017) (JCS) and the NPPF (2023). Policies D1, SL1, BG1, G12 and G13 of the CP and policies SD4, SD8, SD9, SD10, SD11, SD12, SD14, INF1, INF2, INF3 and INF6 of the JCS are most relevant.
- 6.7** The application site is located within the Principal Urban Area (PUA) of Cheltenham and partly within the Central Conservation Area. The Environment Agency's (EA) Flood Map indicates that the site is at low risk of flooding (Flood Zone 1). The site was formally used as a school playing field.
- 6.8** The site is within reasonable walking distance of the nearest local services in Prestbury and the town centre. There are also regular bus services serving the town centre and beyond. The site can therefore be considered a highly sustainable location for new residential development, in the context of the NPPF.
- 6.9** Within the PUA the principle of new residential development on previously developed land is supported by Policy SD10 of the Joint Core Strategy (JCS).
- 6.10** Paragraph 11 of the NPPF sets out a '*presumption in favour of sustainable development*' and makes it clear that development proposals that accord with an up to date development plan, should be approved without delay.
- 6.11** Paragraph 11 of the NPPF states '*Plans and decisions should apply a presumption in favour of sustainable development....and for decision making this means approving development proposals that accord with an up-to-date development plan*'. Where policies which are most important for determining the application are out-of-date, the NPPF at paragraph 11(d) advises that planning permission should be granted '*(i) unless the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or (ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination*'. This is referred to as the 'tilted balance' in favour of sustainable development.
- 6.12** The protected areas or assets referred to at (i) above are, in this case, the Central Conservation Area.
- 6.13** Footnote 7 of paragraph 11 of the NPPF explains further that for applications involving the provision of housing, relevant policies must be considered out of date in situations where the local planning authority cannot demonstrate a five year supply of deliverable housing.
- 6.14** Cheltenham Borough Council is currently unable to demonstrate a five-year supply of housing land and at the time of writing the latest published figure is 2.69 years. The contribution of 58 open market and affordable dwellings towards alleviating the current shortfall and meeting the Council's housing needs are material considerations in the determination of this planning application and carry significant weight in the overall planning balance.

6.15 Design and layout

- 6.16** Section 12 of the NPPF sets out that good design is a key aspect to achieving sustainable development and creating better places to in which to live. Similarly, Policy SD4 of the JCS requires development to respond positively to and respect the character of the site and its surroundings. These objectives are reiterated in Policy D1 of the Cheltenham Plan which requires development to achieve a high standard of architectural design that complements neighbouring development.
- 6.17** Cheltenham's Supplementary Planning Document, '*Development on Garden Land and Infill Sites*', sets out the general principles of good design and the various elements that are considered to create the character of an area, which include grain, type of building, location of buildings, plot widths and building lines.
- 6.18** The proposed development comprises 58 dwellings (a mix of market and affordable units), distributed evenly across the site, with the majority fronting a single circular estate road. Vehicular access to the site will be provided via Broad Acre Road (within the Starvehall Farm development), where a turning head currently exists. The primary access to Broad Acre Road is from New Barn Lane.
- 6.19** The layout incorporates an area of public open space, a SuDS attenuation/pond feature and new tree and shrub planting. Consistent with the previously approved 2021 reserved matters scheme for this site, two new footpath links are proposed to the south, providing pedestrian connections to Albert Road and Cakebridge Road.
- 6.20** The (revised) scheme comprises a mix of two and three storey terraced, semi-detached and detached dwellings, maisonettes and an apartment block. Building heights vary and the 2.5 and three storey dwellings and apartment block are positioned along the west boundary, closest to the four storey student accommodation on the university campus, or centrally within the site. No three or 2.5 storey dwellings are located next to the rear gardens of properties in Greenfields or Broad Acre Road. The majority of market dwellings include single garages to the side, with any off road parking provided to the side or in front of each property. All dwellings are allocated one or two car parking spaces, depending on their size.
- 6.21** The general layout, landscaping and distribution of the market and affordable housing are now considered acceptable. The scale and design of the various house types, along with the materials palette (buff, red and black brick and slate-effect roof tiles) are also acceptable, subject to approval of material samples and brick sample panel boards. A consistent materials palette is proposed across both the open market and affordable units, and the amended lighter/softer and varied materials palette reflects the recently constructed Student Village accommodation blocks to the west, which predominately use buff brick with stone detailing. However, the detailed design and finish of porch canopies requires further consideration. A condition has been added requiring subsequent approval of this element, along with details for windows, external doors and balustrade details to Juliette-style windows.
- 6.22** The submitted details for boundary treatments and hard surfacing materials are acceptable. All public facing boundaries would consist of a screen wall or hedging. Plots that share a rear or side boundary with properties on neighbouring land or the Starvehall Farm wildlife corridor will include timber fencing installed alongside any existing boundary treatment.

6.23 Urban Design

6.24 The Council's Urban Designer (UDO) has played a key role in negotiations aimed at improving the design, layout and architectural detailing of the proposed development.

6.25 The following concerns (in summary) were raised during the course of the application:-

- Poor accessibility and connectivity between the site and surrounding context
- Weak internal permeability and legibility with no clear perimeter block layout and the internal estate road cut off within the site
- The SuDS/attenuation basin lacked landscaping and placemaking/enhancement of the public open space. Dwellings should front onto this feature views south should be opened up where possible.
- Poor car parking arrangements for some plots
- More careful treatment of front boundaries required to ensure successful and meaningful shrub/landscaping in these areas
- Relationship between plots 6&7 and adjacent trees
- Apartment block lacked amenity/external space with potential overlooking issues and minimal space for refuse storage facilities
- Layout includes areas of surplus/left over land which would be hard to manage
- More variety in materials palette required, plus a softer tone and avoiding overly contrasting facing brick and mortar colours .
- Adjustments required to gable-fronted built forms, eaves and ceiling heights, and window proportions and surrounds on some front elevations
- Opportunity to increase density of development along western site boundary adjacent to university accommodation block
- No formal access across public open space/attenuation basin to the south east. Pedestrian link to Cakebridge Road should be re-introduced as per previous scheme.
- No children's play facilities proposed. SuDS pond/public open space area may be a suitable area to accommodate natural play/LAP
- Additional street tree planting required
- Solar panels should be installed on all buildings
- Details of security/boundary treatment along the Pittville School boundary required

6.26 Officers also raised concerns regarding garden sizes, the distance from rear elevations to rear boundaries, and separation distances between opposing clear glazed first floor windows.

6.27 The applicant has engaged with officers, and the revised scheme addresses most of the previously identified concerns, including suggested improvements to layout and architectural design. Although a natural play area or other recreation enhancements have not been incorporated within the open space or SuDS feature, nearby facilities at the Starvehall Farm development and Pittville Park are expected to meet the needs of future

occupiers. Given the lack of on-site provision, a s106 financial contribution will be sought to enhance existing local facilities at Pittville Park and allotment provision.

- 6.28** The applicant has also commissioned an independent Building for a Healthy Life Pre-Assessment (BHL). BHL is a widely known Design Code used *to create places that are better for people and nature*. The proposed development scores highly and meets the requirements of nearly all categories of assessment. It only falls below required BHL standards in respect of junction radii (aimed at reducing vehicle speed) reduce. In this case, greater junction radii are required to accommodate vehicle turning movements and this cannot be adjusted for highway safety reasons.

6.29 Architects Panel/Civic Society

- 6.30** Although more variety in the design of individual house types would be preferable, the Panel are generally supportive of the proposals, particularly the footpath link to Albert Road. The use of the SuDS basin as useable public open space is questioned and whether there are sufficient south facing roof slopes to accommodate solar PV panels.

- 6.31** The various comments made by the Civic Society are noted and the majority have been discussed within the report. A secondary vehicular access from Albert Road or Cakebridge Road is not feasible, nor considered necessary by the Highway Authority to facilitate the proposed development. The lighting and safety of the footpath link to Albert Road will form part of the site-wide lighting strategy to be submitted and approved through the discharge of conditions.

6.32 Conclusion

- 6.33** Despite minor reservations regarding certain house type architectural details, the revised scheme would deliver an improved layout, a coherent materials palette and enhanced soft landscaping and biodiversity.

- 6.34** Overall, the proposed development is considered to achieve a good standard of architectural design that should sit comfortably within its surroundings while respecting the character of neighbouring development. The proposed development accords with Policy D1 of the Cheltenham Plan, Policies SD4 and SD8 of the JCS, and the relevant guidance set out within the Supplementary Planning Document.

6.35 Impact on neighbouring property

- 6.36** Section 12 of the NPPF requires development to create places with a high standard of amenity for existing and future users. Policy SL1 of the Cheltenham Plan advises that development will only be permitted where it will not cause unacceptable harm to the amenity of adjoining land users or the locality. In assessing impact on amenity, the Council will take account of matters including, but not limited to, loss of privacy, light and outlook. The policy is consistent with adopted JCS policy SD14.

- 6.37** The nearest residential properties are located to the east, west and north in Greenfields (off New Barn Lane), Broad Acre Road and Cakebridge Road. Several four storey student accommodation blocks on the University Campus are located adjacent to the west site boundary. Although sharing a boundary, Pittville School users to the south would be less impacted by the proposed development.

- 6.38** A number of local residents have raised concerns about the size, scale and density of development, its proximity to neighbouring dwellings and the resultant overlooking into neighbouring properties with loss of privacy and light. Noise disturbances during the

construction period are also highlighted. Officers have considered these concerns very carefully.

- 6.39** Neighbouring residential properties share boundaries with proposed dwellings to the north in Greenfields and along the east boundary on Broad Acre Road. The four storey student accommodation block to the west on the University campus would also experience some impact; however these buildings are physically separated from the application site by an intervening access road.
- 6.40** The revised site layout confirms that proposed dwellings adjoining Greenfields achieve the minimum rear garden depth of 10.5 metres to their rear boundaries. A similar 10.5 metre distance is achieved along the east site boundary, taking account of the intervening wildlife corridor between the application site and properties in Broad Acre Road. Furthermore, separation distances between directly facing windows, both within the site and in relation to neighbouring properties, meet the minimum 21metre recommended standard.
- 6.41** There are two proposed dwellings and two maisonettes with side elevations and first floor windows facing neighbouring properties in Broad Acre Road. All first floor openings in these buildings serve bathrooms and it is expected that these windows would be obscurely glazed. However, to maintain privacy and prevent direct overlooking, a condition has been added to ensure that these windows are installed and retained as obscure glazed openings and with high level opening mechanisms only.
- 6.42** The rear elevation of the apartment building (Plots 36-41) includes two second floor dormer windows and one first floor opening serving bedrooms, while 2no. Velux windows in the rear roof slope serve bathrooms. There is no residential accommodation on adjoining land that would directly overlook the proposed apartment building. The separation distance between its rear elevation and the nearest elevations of the University's student accommodation blocks is approximately 31 metres, measured at an oblique angle. Consequently, any potential for overlooking into the University campus accommodation is considered minimal.
- 6.43** The side elevations of Plots 36-41 also include first and second floor openings serving bedrooms and kitchen/living rooms. Except for the bedroom windows, these openings have been kept as small as possible and would function as secondary light sources. Due to the proximity of these side openings to Plot 35, a condition has been added to ensure that these windows are fitted and retained with obscure glazing and high level opening mechanisms only.
- 6.44** The separation distance between the side (north) elevation of the apartment building and the nearest dwellings at Plots 42 and 43 is slightly below the minimum 21m standard. However, the intervening driveway and parking area mitigates this shortfall. Although not ideal, this relationship is considered acceptable and is consistent with similar arrangements elsewhere within the development, where dwellings face each other across the estate road.
- 6.45** A condition preventing any further openings being installed without the prior written consent of the planning authority has also been added. Given the proposed garden sized and the proximity of neighbouring properties, officers also consider it necessary to remove permitted development rights for future extensions, garages and outbuildings (excluding for garden sheds).
- 6.46** Any noise disturbance during the construction phase is largely unavoidable and would be temporary. The construction management plan will need to specify construction working hours to minimise disruption to neighbouring and users. Measures to prevent dust and

pollution nuisances will also be included. The Council's Environmental Health team (EHO) will review and approve the details submitted, provided they are satisfactory.

- 6.47** The EHO and Land Contamination officer have no overriding concerns with the proposed development, subject to conditions being added. These will secure details of any piling operations and construction management (inc. working hours, noise and dust management).
- 6.48** With all of the above in mind, the proposed development is considered to be compliant with adopted CP policy SL1 and adopted JCS policy SD14 which require development to protect the existing amenity of neighbouring land users and the locality and those of future occupiers.

6.49 Access and highway issues

- 6.50** Paragraph 116 of the NPPF states that development should only be refused on highways grounds if there would be an unacceptable impact on highway safety or the residual cumulative impacts on the road network would be severe.
- 6.51** Policy INF1 of the JCS reiterates the stance of the NPPF and advises that all development proposals should provide for safe and efficient access to the highway network for all transport needs.
- 6.52** The application is accompanied by a comprehensive Transport Assessment. Gloucestershire County Council, acting as Local Highway Authority (HA), has reviewed the proposals alongside the submitted transport related documents, the relevant planning history and revised scheme proposals. In summary, the HA raise no objection to the proposed development and their comments are set out in full in the Consultations section of the report.
- 6.53** The HA considers the predicted traffic numbers and distribution to be reasonable and unlikely to result in severe impact on the local highway network. Similarly, the site access is compliant with design guidance for this scale of development. The suitability and condition of existing pedestrian routes to local facilities have also been considered with no off-site footpath improvement works deemed necessary to facilitate the proposed development.
- 6.54** In reviewing the revised site layout, the HA considered whether the additional footpath link though the open space in the south-west corner to be upgraded to a cycle route. However, as the estate roads are not currently proposed for adoption, the provision of a cycle route cannot be required.
- 6.55** The HA's recommended conditions and informatives have been added to the schedule of suggested conditions at the end of the report.

6.56 Sustainability

- 6.57** The Cheltenham Climate Change SPD (2022), sets out a detailed strategy for decarbonising homes over the next decade. For residential alterations and extensions there is an opportunity to improve the environmental performance of a home through the inclusion of technologies and features such as photovoltaics, replacement windows, heat recovery, permeable (or minimal) hard surfaces, works to chimneys, insulation, replacement heating systems (heat pump) and thoughtful kitchen design. This is reflected in Policy SD3 of the JCS.
- 6.58** The applicant has provided a comprehensive Energy Strategy Statement assessing the feasibility of suitable low to zero carbon (LZC) technologies, high-efficiency alternative

systems, and other energy saving measures. A Waste Minimisation Statement (WMS) has also been provided which outlines the principles of managing and reducing waste during the construction and operational phases of the development.

6.59 The following low to zero carbon measures are proposed:-

- Implementation of a fabric first approach – SAP estimated fabric efficiency 3.20%
- High grade thermal insulation to achieve good air tightness
- Double glazing systems and low levels of air permeability throughout
- Installation of air source heat pumps to all properties
- EV charging points
- Installation of solar PV collectors – to run appliances and lighting
- Low energy lighting systems

6.60 The proposed Strategy ensures a Building Regulation compliant carbon reduction across all dwellings through fabric measures, before assessing LZC technologies where appropriate. The implementation of the proposed demand reduction measures would achieve an improvement on Part L1 (2021) Building Regulations standards. The proposed development and energy strategy would achieve a carbon reduction of 102.06% over Part L1 and a 108.68% energy demand reduction.

6.61 The energy efficient technologies proposed are considered a robust response to climate change and sustainability and align with the guidance set out in the SPD.

6.62 The County Council (Minerals and Waste) has reviewed the submitted Waste Minimisation Strategy and the additional information provided on waste minimisation and recycled aggregate use. The revised strategies address GCC's initial queries and no further information is required at this stage. GCC's recommended compliance conditions have been included, requiring the submission and approval of detailed site waste management plans for both the construction and operational phases of the development.

6.63 Other considerations

6.64 Affordable Housing

6.65 Policy SD12 of the JCS requires a minimum of 40% affordable housing for developments of 10 or more dwellings. Policy SD11 further requires housing proposals to deliver an appropriate mix of dwelling sizes, types and tenures to support mixed and balanced communities, having regard to local housing needs, as identified in the latest evidence base.

6.66 The applicant proposes a policy compliant scheme in that 23 dwellings would be delivered as affordable 1-4 bed units, with a tenure mix of (16) social rented housing and (7) shared ownership houses. This equates to a housing mix of 70% social rented and 30% affordable home ownership.

6.67 The Council's Housing Enabling Officer (HEO) supports the applicant's commitment to delivering 40% affordable housing on this site and is satisfied with the proposed tenure mix, as well as the revised dwelling categories, sizes and space standards of the dwellings. The revised distribution and clustering of affordable units across the site are also acceptable and their appearance, build quality and materials would be indistinguishable from market dwellings.

6.68 Following discussions with the HEO, the applicant has amended the affordable housing scheme to ensure that one bedroom apartments comply with National Described Space Standards(NDDS). Adjustments have also been made to the number of M4(2), ground floor units. The clustering and distribution of affordable units have been revised to achieve an even and seamless spread throughout the development. As a result, shared ownership and rented properties would be integrated across the site, and the design and appearance of the dwellings would deliver a tenure blind scheme.

6.69 The HEO's full comments are set out in full in the Consultations section of the report.

6.70 The applicant has agreed to enter into a s106 agreement to secure the provision of 40% affordable housing on this site and in accordance with the submitted and agreed Affordable Housing Layout. The s106 will include triggers for a phased delivery of affordable units; for example, a requirement that the developer/owner shall not permit or cause the occupation of more than 50% of the open market homes before 50% of the affordable housing units have been made available for occupation, and no more than 90% of the open market homes shall be occupied until all (100%) of the affordable housing units are completed and transferred to a registered affordable housing provider.

6.71 Community Infrastructure/s106 Obligations

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

6.73 JCS policy INF7 advises that financial contributions will be sought through the s106 and CIL mechanisms as appropriate; in this case, the s106 mechanism being used to secure site-specific obligations.

6.74 Having regard to the objectives of JCS policies INF6 and INF7 and Cheltenham Plan policies D1 and C11, contributions towards the provision of education and library facilities are required as a consequence of the proposed development. In this case, financial contributions will be sought through a s106 Agreement.

6.75 The County Council (GCC) has assessed the impact of the proposed development on various community infrastructure, in accordance with the Local Development Guide (LDG) and with regard to CIL regulations. GCC in its capacity as education and libraries authority, requests financial contributions towards (7.850) secondary school places provision in the Cheltenham school catchment area for pupils aged 11-18. GCC's updated response concludes that there is sufficient capacity within the local primary schools (Primary Planning Areas) to accommodate the expected increase in population arising from the proposed development.

6.76 The development would generate a need for additional library resources (through refurbishment of the building, stock and IT improvements) at Prestbury Library. GCC therefore requests a libraries contribution; costed on the basis of the 58 proposed dwellings.

6.77 The draft s.106 Heads of Terms confirms the applicant's agreement to enter into a legal agreement to secure the above contributions.

6.78 Additional obligations to be secured via the S106 Agreement include financial contributions towards enhancements to play facilities at Pittville Park and local allotment

provision. The Agreement will also secure arrangements for the future management and maintenance of public open spaces and footpaths within the development.

6.79 Loss of School Playing Field/Sport England

6.80 The proposals involve the loss of approximately 750sqm of a former school playing field, which has not been used since 2009. Sport England (SE) has therefore confirmed that consultation in this instance is non-statutory.

6.81 Notwithstanding the above, SE has assessed the proposed development having regard to paragraph 104 of the NPPF, Sport England's Playing Fields Policy and the potential for this site to provide playing pitches to meet current or future needs.

6.82 SE's policy is to oppose the granting the planning permission for any development which would lead to the loss of, or prejudice the use of, all or any part of a playing field. This includes land which has been previously used as a playing field and remains undeveloped, or land allocated for use as a playing field, unless the proposal satisfies one or more of Sport England's five specific exceptions.

6.83 JCS Policy INF4 is also relevant with regards the potential loss of playing field. INF4 seeks to prevent the loss of community facilities unless suitable replacement facilities will be provided. Its loss without suitable replacement or alternative provision, in principle and/or in isolation, would not normally be supported by officers.

6.84 SE raise no objection to the proposed development and the resultant part loss of the school playing field because it would accord with exception criteria 1 of Sport England's Playing Fields Policy and bullet point (a) of NPPF paragraph 104. The updated NPPF does not prohibit enabling works on playing fields and the application site is not included in the Council's current Playing Pitch Strategy (2024). The recent (GCC) planning permission for a new sports hall and 3G artificial playing pitch to the south of the main school buildings is also acknowledged. Exception criterion 1 refers to *an excess of playing field provision in the catchment, which will remain the case should the development be permitted, and the site has no special significance to the interests of sport.*

6.85 Notwithstanding the above SE comments that future occupiers of the proposed development will generate demand for sporting provision, which existing local facilities may not be able to accommodate. SE therefore suggest that a developer contribution towards meeting that demand off-site should be sought.

6.86 Officers have considered whether a financial contribution towards improving local sports provision would be justified or reasonable in this case. Construction of Pittville School's new sports hall and artificial pitch is currently underway, and these facilities will be available for community use though an approved Community Use Agreement. In addition, the neighbouring Starvehall Farm development provides informal recreation facilities and nearby Prestbury playing fields offer playing fields and other play facilities. Collectively, these existing and emerging facilities are expected to accommodate the increased demand arising from the proposed development. A financial contribution towards enhancing existing play facilities at Pittville Park is also being sought.

6.87 Drainage and Flooding

6.88 The application has been assessed in accordance with JCS Policies INF2 and section 14 of the NPPF; paragraph 181 setting out that when determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere and where appropriate, applications should be supported by a site-specific flood-risk assessment.

- 6.89** The application site is located in Flood Zone 1 (lowest flood risk) and is shown to be at low risk of surface water flooding. The application is accompanied by a Flood Risk Assessment (FRA) and Sustainable Drainage Strategy.
- 6.90** The Local Lead Flood Authority (LLFA) has reviewed the FRA, proposed drainage strategy and all subsequent revisions. Their comments are set out in full in the Consultations section.
- 6.91** In response to the initial drainage strategy the LLFA did not consider that the drainage hierarchy had been followed and that a discharge to the ditch adjacent to Albert Road was a possibility and potentially the preferred option. The updated Sustainable Drainage Strategy and Flood Risk Assessment responds to both the above concerns and the revised site layout. The point of discharge is now shown as the watercourse adjacent to Albert Road which is higher in the discharge hierarchy than the original proposal to discharge into the public surface water sewer. Despite a slight increase in impermeable area, the revised strategy demonstrates that there should be no flooding in the 1% Annual Exceedance Probability (AEP) event plus 40% for climate change. The detailed design of the Drainage Strategy can be appropriately secured through a planning condition.
- 6.92** The Council's Drainage officer concurs with the above assessment.
- 6.93** Ecology, BNG, Environmental Impact and Protected Species
- 6.94** Policy SD9 of the JCS seeks the protection and enhancement of ecological networks and across the JCS area, improved community access and for new development to contribute positively to biodiversity and geodiversity whilst linking with wider networks of green infrastructure. Similarly, NPPF paragraph 193 seeks through development, the protection and enhancement of valued landscapes and sites of biodiversity value and the need to minimise and provide net gains for biodiversity and coherent and resilient ecological networks. Opportunities to improve biodiversity in and around developments should be integrated into design, especially where this can secure measurable net gains for biodiversity.
- 6.95** The application site is within the Zone of Influence of Cotswold Beechwoods Special Area of Conservation (SAC) and the Impact Risk Zone (IRZ) of Cleeve Common Site of Special Scientific Interest (SSSI). There are no other statutory or non-statutory designated sites within 1 km of the site.
- 6.96** The applicant has submitted a Preliminary Ecological Impact Statement and Revised Ecological Impact Assessment (EclA), which includes a bat, badger and Great Crested Newt survey. A Design Stage Biodiversity Net Gain report and the Statutory Biodiversity Metric calculations (BNG) are also provided. These documents and their subsequent updated versions, that correspond with the revised site layout and address previous concerns, have been reviewed by the Council's Ecologist (EO).
- 6.97** The conclusions of the EclA and proposed mitigation are considered suitable and the recommendations for ecological mitigation and enhancement and sensitive strategies for external lighting are supported and will need to be set out in a Construction Environmental Management Plan (CEMP), Ecological Mitigation & Enhancement Strategy (EMES) and external lighting strategy. Their implementation would be secured through planning conditions.
- 6.98** In summary, the site currently comprises modified grassland managed for amenity, with small amounts of shrub along the eastern boundary and mature trees in the southern part. The site supports habitats of limited ecological value.

- 6.99** There is bat activity on site and sensitive lighting during both the construction and operational phases of the development will be necessary to minimise the impact on foraging and commuting bats. Key trees along the southern and western site boundaries would be retained and are suitable for bat roosting. Although the site provides foraging opportunities for badgers, there is limited potential for sett building and consequently, there is no evidence of badgers on this site.
- 6.100** The site is located within an area of Red and Amber Risk Zones for GCN (NatureSpace Partnership, 2023) and precautionary mitigation is therefore recommended to ensure the protection of amphibians during the construction phase, including sensitive vegetation clearance. A single newt was observed on site but this species is not afforded legal protection.
- 6.101** Proposed enhancement measures include native tree and shrub planting, bird and bat boxes and hedgehog tunnels and homes. The proposed SUDS pond would also increase the value of the site for invertebrates and amphibians.
- 6.102** As first submitted, the Biodiversity Net Gain Metric calculated a 2.27% gain in habitat units and a 0.37% gain in hedgerow habitat units. Given the size of the site, which currently contains habitats of mainly low distinctiveness, it was disappointing that a 10% on-site net gain was not achievable. Consequently, the EO suggested a number of ways to potentially increase the provision of on-site biodiversity units.
- 6.103** The updated BNG Metric demonstrates notable improvements, calculating a 4.05% net gain in habitat units and 30.7% net gain in hedgerow units. The Metric revisions include an increase in developed land, additional mixed shrubs and individual trees and a reduction in modified grassland and artificial unsealed surfaces. The southern boundary hedgerow has also been enhanced from 'moderate' to 'good' condition. To achieve the mandatory 10% net gain in habitat units, the applicant proposes off-site through a recognised BNG provider. This will be detailed in the Biodiversity Net Gain Plan and secured via a pre-commencement condition. The proposed on-site habitat enhancements are considered to be significant, and their long-term monitoring will need to be secured through a s106 obligation.
- 6.104** GCER records also show that important species or habitats have been sighted on or near the application site in the past, including bats. The submitted PEA is an appropriate assessment of the impact on these protected species.
- 6.105** Habitats Regulations Assessment/ Cotswolds Commons and Beechwoods Site of Special Scientific Interest (SSSI) and Special Area of Conservation (SAC)
- 6.106** As set out in the Cotswold Beechwoods SAC Recreation Mitigation Strategy (May 2022), the application site is within a zone of influence for recreational pressure for the Cotswold Beechwoods SAC, which is afforded protection under the Conservation of Habitats and Species Regulations 2017 (as amended).
- 6.107** Policy BG1 of the Cheltenham Plan relates to the Cotswold Beechwoods Special Area of Conservation (SAC) – recreation pressure. It states that development will not be permitted where it would be likely to lead directly or indirectly to an adverse effect upon the integrity of the European Site network (alone or in combination), and the effects cannot be mitigated.
- 6.108** Therefore, in order to retain the integrity of the Cotswold Beechwoods Special Area of Conservation (SAC) all development within the borough that leads to a net increase in dwellings will be required to mitigate any adverse effects.

- 6.109** The applicant has provided a shadow Habitats Regulations Assessment (sHRA). Following a review of the sHRA, the Council, as the responsible authority, has undertaken an Appropriate Assessment (under the Habitats Regulations 2017 and formally adopts the sHRA as part of that assessment.
- 6.110** The SHRA concludes that without appropriate mitigation, the proposed development is likely to have a significant effect on the Cotswold Beechwoods SAC (either alone or in combination with other development) through increased recreational pressure. The measures outlined in the SAC Mitigation Strategy are considered necessary to provide adequate mitigation for the impacts of the proposal.
- 6.111** The applicant can therefore either enter into a s106 contribution of £673 per new dwelling to contribute to the measures in the Strategy, or propose on or off-site mitigation. Although public open space is included within the scheme, it does not deliver sufficient on-site mitigation. The applicant has therefore opted to make the £673 per dwelling contribution through a section 106 agreement. Subject to completion to the agreement, the proposal would not adversely affect the integrity of the Cotswold Beechwoods SAC.
- 6.112** The applicant has agreed to enter into a legal agreement to secure the appropriate SAC mitigation (financial contributions) although a Unilateral Undertaking has not yet been signed and completed by the applicant or the relevant monies and fees paid. As such, any resolution to grant outline planning permission would be subject to the completion of the s106/UU.
- 6.113** Heritage and Conservation
- 6.114** The southern parts of the application site fall both within and adjacent to the Central Conservation Area (Pittville Character Area). There are no listed buildings adjacent to the site but the Grade I Pittville Pump Rooms is within 200m of the application site to the south west. The applicant has therefore provided a Heritage Statement which assesses the impact of the proposals on designated and non-designated heritage assets within the vicinity of the site.
- 6.115** When determining planning applications, the local planning authority must also take account of the statutory duty of section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess. The surrounding historic environment contains a number of listed buildings, including many Grade II* listed properties. Similarly, section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of conservation areas.
- 6.116** Section 16 of the NPPF (2024) sets out the importance of conserving and enhancing heritage assets. This is reflected in Policy SD8 of the Joint Core Strategy which requires development to make a positive contribution to local character and distinctiveness, having regard to the valued elements of the historic environment.
- 6.117** NPPF paragraph 212 advises that when considering the impact of proposed development on the significance of designated heritage assets, great weight should be given to the assets' conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
- 6.118** Paragraph 213 advises that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.

6.119 The Council's Conservation officer (CO) has considered the impact of the proposals on the significance of the designated and non-designated heritage assets and their comments can be read in full at the end of the report.

6.120 In summary, there would be a minor visual change to the grade I listed Pittville Pump Rooms but this would not alter the overall understanding or experience of the building. Similarly, the application site is not considered to contribute to the understanding and experience of the Locally Listed Pittville School buildings. There would be no change to key views to and from the conservation area.

6.121 The parts of the site proposed for housing do not form part of the setting for designated and non-designated built heritage assets and the site itself is not considered to be of significant townscape and environmental value from a heritage perspective. The CO concludes that the proposed development would cause no harm to heritage assets and would have a neutral impact. The significant public benefits of the proposals in providing 58 dwellings has also been considered.

6.122 Archaeology

6.123 The County Archaeologist (CA) has reviewed the proposed development and confirms that no known heritage assets are located within the proposed development site. The nearest archaeological investigation to the east recorded two undated linear ditches, Roman settlement has been recorded approx. 600m to the southwest, a medieval deer park is located 350m to the north and Pittville Park is a Grade II registered Park and Garden.

6.124 On the basis of the available evidence there is low potential for significant archaeological remains to be impacted by the proposals and no requirement for further archaeological investigation of the site.

6.125 Trees and Landscaping

6.126 There are a number of mature trees within the southern area of the site and within the conservation area, plus established hedgerow along site boundaries. The application proposes no significant tree removal, although some boundary hedging (approx. 5 metres) would be removed to facilitate access to the site.

6.127 The Council's Trees Officer (TO) has undertaken a review of the proposed tree and soft landscaping proposals and considered the Arboricultural Impact Assessment (AIA) submitted. His comments on the submitted and revised schemes are set out in full in the consultations section of this report.

6.128 The TO raises no overriding concerns. The AIA is well considered and proposes mitigation methods to protect retained trees (i.e. no-dig driveways and ground protection). Plot 6 is identified as being within the sphere of influence of several sycamore and horse chestnut trees. These trees would likely cast considerable shade on this plot. This concern was discussed with the applicant but the overall site/layout constraints would not allow the repositioning of Plot 6 (plot 27 on revised layout).

6.129 The initially proposed fruiting pears and mulberries adjacent to parking areas have been replaced by more suitable species. Although concerns remain regarding some light demanding tree species to be planted amongst existing trees along the southern boundary, the overall palette of new trees is a rich and varied mix of native and exotic.

6.130 Utilities

6.131 A utilities report has been submitted with the application which concludes that there is water, electricity and foul sewerage within or immediately adjacent to the site which

means that connections should be possible without major infrastructure works. Severn Trent has confirmed that the foul sewer has capacity for the development.

6.132 Section 106 Obligations

6.133 During the course of the application and consideration in respect of the policy framework and material planning considerations, regard has been given to the consultation responses received and the likely impacts that would arise as a result of the development. The Community Infrastructure Levy Regulations (2010) came into effect in 2010 and Regulation 122 sets out limitations on the use of planning obligations. It sets out three tests that planning obligations need to meet. It states that planning obligations may only constitute a reason for granting planning permission if the obligation is:

- a) Necessary to make the development acceptable in planning terms;
- b) Directly related to the development; and
- c) Fairly and reasonably related in scale and kind to the development.

6.134 Regard has been given to the CIL Regulations in making a recommendation and the following matters, which are considered in the above paragraphs, are considered to represent obligations that are necessary to make the development acceptable in planning terms, are directly related to the development and are fairly and reasonably related in scale and kind to the development.

Affordable Housing

To be policy compliant the scheme needs to deliver a minimum of 40% Affordable Housing for local needs. It is therefore necessary to ensure the delivery of 23 affordable units dwellings with a tenure mix of (16) social rented housing, (7) shared ownership houses. This equates to a housing mix of 70% social rented and 30% affordable home ownership. Affordable housing will be delivered in an agreed phased programme of works. Delivery sought at various trigger points.

Education provision

The proposed development would generate demand for additional school places within the relevant school catchment area. Financial contributions are therefore sought towards secondary school education provisions for pupils aged 11-18. Payment sought at various trigger points.

Libraries provision

The proposed development would generate demand for additional library resource. Financial contributions towards improvements in library provision at Prestbury library are therefore necessary. Payment sought upon first occupation of development.

Biodiversity Net Gain

The proposal is required to deliver a minimum of 10% biodiversity net gain. The submission and approval of a Biodiversity Net Gain plan will be required through the discharge of conditions process. Obligations will also be sought to secure the future delivery and management of the BNG and a Biodiversity Gain Land Monitoring contribution will be required.

Residential Travel Plan Monitoring

Appointment of Travel Plan Coordinator. Financial contribution towards monitoring of the Travel Plan.

Public Open Space

Agreement of Green Infrastructure Management and Maintenance Plan for Public Open Space including public footpath links to Albert Road and Cakebridge Road. No more than 95% of the dwellings shall be occupied until all green infrastructure and footpaths have been laid out in accordance with the Green Infrastructure Phasing Plan and Management and Maintenance Plan.

Contribution to off-site recreational provision

Financial contributions towards allotment provision and improvements to local play and recreational facilities at Pittville Park

6.135 Public Sector Equality Duty (PSED)

6.136 As set out in the Equality Act 2010, all public bodies, in discharging their functions must have “due regard” to this duty. There are three main aims:

- Removing or minimising disadvantages suffered by people due to their protected characteristics;
- Taking steps to meet the needs of people with certain protected characteristics where these are different from the needs of other people; and
- Encouraging people with certain protected characteristics to participate in public life or in other activities where participation is disproportionately low.

6.137 Whilst there is no absolute requirement to fully remove any disadvantage, the duty is to have “regard to” and remove OR minimise disadvantage and in considering the merits of this planning application the planning authority has taken into consideration the requirements of the PSED.

6.138 In the context of the above PSED duties, this proposal is considered to be acceptable.

7. CONCLUSION AND RECOMMENDATION

7.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for development must be determined in accordance with the development plan, unless material considerations indicate otherwise.

7.2 The proposed development meets the objectives of the housing policies of the development plan. Policy SD10 of the JCS supports the principle of new residential development on previously developed land in the PUA.

7.3 However, in circumstances where policies which are most important for determining an application are out-of-date, the NPPF at paragraph 11(d) advises that planning permission should be granted ‘(i) *unless the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or (ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing*

development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination’.

- 7.4** In light of the Council's shortfall in a 5 year supply of deliverable housing land, officers have therefore assessed the proposals, in accordance with paragraph 11(d). This has involved weighing any potential adverse impacts resulting from the development, against the benefits the scheme may deliver.
- 7.5** In this case, the benefits include the provision of 58 dwellings in a sustainable location, including 23 affordable dwellings, which would contribute positively towards the Council's current housing supply shortfall and local housing needs.
- 7.6** The proposals bring other clear benefits. These include the provision of new footpath links, areas of public open space, habitat and biodiversity enhancements, plus the wider economic or social benefits that the scheme might bring in terms of employment opportunities during the construction phase.
- 7.7** There are no overriding highway safety, neighbour amenity, heritage, arboricultural or flood risk concerns. A minimum 10% biodiversity gain is achievable for this site with a small off-site purchase of habitat units. Ecological surveys and the biodiversity net gain plan and habitat management would be updated, as necessary, through the discharge of conditions process and/or via a s106 obligation.
- 7.8** The (revised) layout of the scheme and architectural design approach is considered appropriate for this context. The Council's Urban Designer has played a key role in seeking enhancement of the architectural design and materials palette of house types and positive alterations to the layout and permeability of the scheme.
- 7.9** The implementation of the proposed energy demand reduction measures would achieve significant improvements on Part L1 (2021) of Building Regulations standards.
- 7.10** In accordance with paragraph 11(d) (i) and (ii) of the NPPF, and having assessed the policies that protect assets of particular importance, strong reasons have not been identified to refuse the application. In this case, there are not considered to be any adverse impacts that would significantly and demonstrably outweigh the benefits of the proposals. Notably, the provision of 58 new dwellings carries substantial weight in the overall planning balance.
- 7.11** The recommendation is therefore to grant planning permission subject to the conditions set out below.
- 7.12** At the time of writing, the applicant's agreement to the terms of the pre-commencement condition is being sought.
- 7.13** Any resolution to grant planning permission would be subject to the applicant entering into a legal agreement (s106) to secure the following obligations:
- appropriate mitigation for recreational pressure on the Cotswold Beechwoods SAC
 - green infrastructure delivery and retention of the public open space and footpath link in perpetuity
 - management and maintenance plan for public open space, with triggers for its implementation
 - Biodiversity Gain Plan – delivery and long term management and maintenance. Note, the overall Biodiversity Gain Plan, alongside an updated BNG metric must be

submitted at REM stage and should set out how the development will achieve a minimum 10% Biodiversity Net Gain.

- financial contribution towards improvements in local play/recreation facilities and allotment provision

7.14 Both parties are in agreement with the above s106 Heads of Terms.

8. CONDITIONS / INFORMATIVES

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

Reason: To accord with the provisions of Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

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

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

- 3 Prior to the commencement of development a Construction Traffic Environmental Management Plan (CTEMP), Site Waste Management Plan (SWMP) and operational Waste Minimisation Statement (WMS) shall be submitted to and approved in writing by the Local Planning Authority. The approved CTEMP and SWMP shall be adhered to throughout the site preparation, demolition 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:

CTEMP

- Parking of vehicles of site operatives and visitors (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction);
- Advisory routes for construction traffic;
- Types, size and numbers of construction related vehicles anticipated daily including arrangements to receive abnormal loads or unusually large vehicles;
- Any temporary access into the site;
- Locations for loading/unloading and storage of plant, waste and construction materials;
- Method of preventing mud and dust being carried onto the highway;
- Measures for the control of noise, dust and other air borne pollutants during works of demolition and construction;
- Wheel washing facilities;
- Arrangements for turning vehicles;
- Measures for the control of site lighting (required for safe working or for security purposes);
- Methods to control the risk of flooding during construction
- Arrangements to receive abnormal loads or unusually large vehicles; and
- Methods of communicating the CTEMP to staff, visitors and neighbouring residents and businesses.

SWMP

- Information on the type and amount of waste likely to be generated prior to and during the demolition and construction phases;
- Details of the practical arrangements for managing waste generated during construction in accordance with the principles of waste minimisation;
- Details of the proposed proportions of recycled content that will be used in construction materials; and
- Details of the measures for ensuring the delivery of waste minimisation during the construction phase.

WMS

- Provision of on-site storage receptacles for recycling a range of materials as specified by the Waste Collection Authority, at identified locations and appropriate to the number of residential units proposed; and suitable accessing arrangements for recycling/waste collection vehicles. The management of waste during occupation must be aligned with the principles of the waste hierarchy and not prejudice the local collection authority's ability to meet its waste management targets

No building shall be occupied until the provisions set out in the approved WMS that are relevant to that dwelling have been implemented in full.

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, flood risk and to safeguard the amenity of occupiers of neighbouring properties, having regard to adopted policies INF1, INF3 and SD14 of the Joint Core Strategy (2017) and adopted policy SL1 of the Cheltenham Plan (2020), and to ensure the effective implementation of waste minimisation in accordance with the Gloucestershire Waste Core Strategy. Approval is required upfront because without proper mitigation the works could have an unacceptable highway impact during construction.

- 4 Prior to the commencement of development, the following information shall be submitted to and approved in writing by the Local Planning Authority:

(a) a full site survey showing:

- i) the datum used to calibrate the site levels;
- ii) levels along all site boundaries at regular intervals;
- iii) levels across the site at regular intervals;
- iv) finished floor levels or other datum of adjacent buildings; and
- v) cross section drawings clearly showing existing ground levels in relationship with the finished floor and eaves levels of adjacent buildings

(b) full details showing:

- i) the proposed finished floor level of all buildings and ground levels including hard surfaces; and
- ii) cross section drawings showing the proposed finished floor and eaves levels of all buildings and ground levels including hard surfaces.

The development shall thereafter be implemented strictly in accordance with the agreed details.

Reason: To ensure a satisfactory relationship between the proposed development and adjacent buildings and land, having regard to adopted policies D1 and SL1 of the Cheltenham Plan (2020) and adopted policies SD4 and SD14 of the Joint Core Strategy (2017). Approval is required upfront to allow the impact of the development to be accurately assessed.

- 5 Prior to the commencement of development (excluding site clearance works), a detailed Sustainable Drainage System (SuDS) Strategy shall be submitted to and approved in writing by the local planning authority. The information submitted shall be in accordance with the proposals set out in drawing numbers Drainage Layout 1 of 2 -248-142-1 A and Drainage Layout 2 of 2 - 248-142-2 A. The SuDS Strategy must include a detailed design, and must also demonstrate the technical feasibility/viability of the drainage system through the use of SuDS to manage flood risk to the site and elsewhere, and the measures taken to manage the water quality for the lifetime of the development. The surface water drainage scheme shall be implemented strictly in accordance with the approved details and prior to first occupation of the development.

Reason: To ensure sustainable drainage of the development, having regard to adopted policy INF2 of the Joint Core Strategy (2017). Approval is required upfront because the design of the drainage is an integral part of the development and its acceptability.

- 6 The development shall not be brought in to use/occupied until a SuDS management and maintenance plan for the lifetime of the development has been submitted to and approved in writing by the local planning authority. The maintenance plan shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime. The approved SUDS maintenance plan shall be implemented in full in accordance with the agreed terms and conditions.

Reason: To ensure sustainable drainage of the development, having regard to adopted policy INF2 of the Joint Core Strategy (2017).

- 7 Prior to the commencement of development, full details for the treatment, routing and disposal of foul water (including pollution control and monitoring measures) for the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out strictly in accordance with the approved details.

Reason: To ensure adequate foul drainage infrastructure is provided, having regard to adopted policy INF2 of the Joint Core Strategy (2017). Approval is required upfront because the design of the drainage is an integral part of the development and its acceptability.

- 8 In the event that contamination is found at any time when carrying out the approved development that was not previously identified, it must be reported in writing immediately to the Local Planning Authority and development shall be halted on that part of the site affected by the unexpected contamination. An investigation and risk assessment must then be undertaken in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR11 and a remediation scheme, where necessary, also submitted. Following completion of measures identified in the approved remediation scheme, a verification report shall be submitted to and approved in writing by the Local Planning Authority before development can recommence on the part of the site identified as having unexpected contamination.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with adopted policy SD14 of the Joint Core Strategy (2017).

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

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).

- 10 No dwelling shall be occupied until:
(i) the carriageway(s) providing access from the public highway to that dwelling has been completed to at least binder course level and the footway(s) to surface course level and in accordance with the approved plans; and
(ii) the car/vehicle parking area, visitor parking and turning space associated with that dwelling (including garages and car ports where proposed) have been completed in accordance with the approved plans.

The access, parking (including garages) and turning areas shall thereafter be kept free of obstruction and available for the access, parking and turning of vehicles associated with the development.

Reason: To ensure that safe and suitable access is provided and maintained in the interests of highway safety, having regard to adopted policy INF1 of the Joint Core Strategy (2017), and paragraphs 110 and 112 of the National Planning Policy Framework (2021).

- 11 No dwelling hereby approved shall be occupied until secure covered cycle storage for that dwelling has been provided and in accordance with details which shall have first been submitted to and approved in writing by the Local Planning Authority. The cycle storage shall thereafter be retained available at all times for such use in accordance with the approved details.

Reason: To ensure the adequate provision and availability of cycle parking, so as to ensure that opportunities for sustainable transport modes have been taken up, having regard adopted policy INF1 of the Joint Core Strategy (2017).

- 12 Prior to first occupation of the development, details of the proposed arrangements for the future management and maintenance of the proposed roads/streets within the development shall be submitted to and approved in writing by the Local Planning Authority. The roads/streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as either a dedication agreement has been entered into or a private management and maintenance company has been established.

Reason: To ensure that safe and suitable access is provided and maintained in the interests of highway safety, having regard adopted policy INF1 of the Joint Core Strategy (2017) and Section 9 of the NPPF.

- 13 Prior to their installation, a scheme for the provision of fire hydrants (served by mains water supply) shall be submitted to and agreed in writing by the Local Planning Authority. No dwelling shall be occupied until the fire hydrant serving that property has been provided in accordance with the agreed scheme.

Reason: To ensure adequate water infrastructure provision is made on site for the local fire service to tackle any property fire, having regard to adopted policy INF6 of the Joint Core Strategy (2017).

- 15 The development shall be carried out in accordance with the recommendations contained within the adopted Habitats Regulations Assessment (Shadow Habitats Regulations Assessment, FPCR June, 2022) and the Ecological Impact Assessment (Ethos Environmental Planning, V2, October 2025 REF. ETH24-238).

Reason: To safeguard important ecological species in accordance with policy SD9 of the Joint Core Strategy (2017).

- 16 Prior to the commencement of development (including ground works and vegetation clearance), a Construction Environmental Management Plan - Biodiversity (CEMP-B) shall be submitted to and approved in writing by the local authority. The CEMP-B should be kept in the site office for reference for site worker. The CEMP-B shall include, but not necessarily be limited to, the following:

- i. Risk assessment of potentially damaging construction activities;
- ii. Identification of 'biodiversity protection zones';
- iii. Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements);
- iv. A precautionary working method statement for the following species: bats, amphibians, badger, reptiles, nesting birds, and hedgehog;
- v. The location and timing of sensitive works to avoid harm to biodiversity features (e.g. daylight working hours only starting one hour after sunrise and ceasing one hour before sunset);
- vi. Details of any external lighting required during construction phase;
- vii. The times during construction when specialist ecologists need to be present on site to oversee works;
- viii. Responsible persons and lines of communication;
- ix. The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person(s);
- x. Use of protective fences, exclusion barriers and warning signs, including advanced installation and maintenance during the construction period; and
- xi. Ongoing monitoring, including compliance checks by a competent person(s) during construction and immediately post-completion of construction works.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details.

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

Reason: To safeguard important ecological species and to ensure the development contributes to the conservation and enhancement of biodiversity within the site and the

wider area during the construction and operational phases of the development, in accordance with policy SD6 and SD9 of the Joint Core Strategy (2017). Approval is required upfront to ensure appropriate mitigation for the protection and enhancement of ecological species during all stages of the development.

- 17 Prior to the commencement of above ground works, an Ecological Mitigation & Enhancement Strategy (EMES) shall be submitted to and approved in writing by the local planning authority. The EMES shall include details of the provision of permanent bat roosting feature(s), hedgehog homes and nesting opportunities for birds. The approved details shall be implemented prior to the occupation of any of the dwelling houses hereby permitted, and thereafter retained and maintained for the lifetime of the development.

The approved scheme shall include, but not limited to, the following details:-

- i. Description, design or specification of the type of feature(s) or measure(s) to be undertaken;
- ii. Materials and construction to ensure long lifespan of the feature/measure;
- iii. A drawing(s) showing the location and where appropriate the elevation of the features or measures to be installed or undertaken; and
- iv. When the features or measures will be installed within the construction, occupation, or phase of the development.

Any modifications to the approved EMES, for example as a result of requirements of a protected species license, must be submitted to and agreed in writing by the Local Planning Authority and prior to the implementation of any modifications.

Reason: To safeguard important ecological species and to ensure the development contributes to the conservation and enhancement of biodiversity within the site and the wider area during the construction and operational phases of the development, having regard to adopted policy SD9 of the Joint Core Strategy (2017).

- 18 All landscaping works shall be carried out in accordance with the approved details prior to first occupation 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.

Reason: In the interests of the character and appearance of the area, having regard to adopted policies D1, G12 and G13 of the Cheltenham Plan (2020), and adopted policies SD4 and INF3 of the Joint Core Strategy (2017).

- 19 The development shall not commence until a Habitat Management and Monitoring Plan (the HMMP), prepared in accordance with the approved Biodiversity Gain Plan, has been submitted to, and approved in writing by, the local planning authority. The HMMP shall include:

- (a) a non-technical summary;
- (b) the roles and responsibilities of the people or organisation(s) delivering the [HMMP];
- (c) the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan;
- (d) the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development; and

(e) the monitoring methodology and frequency in respect of the created or enhanced habitat to be submitted to the local planning authority,

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

(f) [HMMP] has been implemented; and

(g) habitat creation and enhancement works as set out in the [HMMP] have been completed.

No part of the development shall be occupied until:

(h) the habitat creation and enhancement works set out in the approved [HMMP] have been completed; and

(i) a completion report, evidencing the completed habitat enhancements, has been submitted to, and approved in writing by the Local Planning Authority.

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

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

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

- 20 Prior to the installation of external lighting, a lighting design strategy shall be submitted to and approved in writing by the local planning authority. The details shall clearly demonstrate that lighting will not cause excessive light pollution or disturb or prevent bat species using key corridors, forage habitat features or accessing roost sites. The strategy shall include the following information:

- a. The areas/features on site that are particularly sensitive for nocturnal species;
- b. The position, height and type/specification of all external lighting (including any security lighting and other lighting fixed externally to buildings);
- c. The intensity of lighting and spread of light as a lux contour plan (including horizontal and vertical components) and how this responds to the landscape setting and neighbouring development;
- d. Lighting calculations and assessment;
- e. Measures to minimise light spill/pollution;
- f. Measures to minimise the effects of lighting on protected wildlife species, notably nocturnal species and their habitats or wildlife corridors;
- g. Methods to control lighting operation (e.g. timer operation, passive infrared sensor (PIR) and the periods of day and night (throughout the year) when such lighting will be used and controlled for construction and operational needs.

The scheme shall be implemented and maintained in accordance with the approved details for the lifetime of the development.

Reason: To safeguard the amenities of neighbouring land users and the character of the area; having regard to adopted policies D1 and sSL1 of the Cheltenham Plan (2020) and adopted policies SD4 and SD14 of the Joint Core Strategy (2017). To safeguard important ecological species and to ensure the development contributes to the conservation and enhancement of biodiversity within the site and the wider area during the construction and operational phases of the development; having regard to adopted policy SD9 of the Joint Core Strategy (2017) and the requirements of the 1981 Wildlife & Countryside Act (as amended).

- 21 No external facing or roofing materials shall be applied unless in accordance with:

- a) a written specification of the materials; and/or
- b) physical sample(s) of the materials, including (1sqm) sample boards of facing brickwork.

The details of which shall have first been submitted to and approved in writing by the Local Planning Authority.

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

- 22 Notwithstanding the submitted details, the following elements of the scheme shall not be installed, implemented or carried out unless in accordance with details which shall have been submitted to and approved in writing by the Local Planning Authority:

- 1. External doors and windows (including design elevation drawings, materials, finish, sills, heads and reveals, glazing specification and opening mechanism)
- 2. Garage doors
- 3. Refuse/recycling stores (inc. location and elevation/floor plan details)
- 4. Cycle storage facilities (inc. location, elevation/floor plan details)
- 5. Porch canopy details
- 6. Balustrade details
- 7. Street and public open space furniture

Reason: To preserve or enhance the character or appearance of the area, having regard to adopted policy D1 of the Cheltenham Plan (2020), adopted policies SD4 and SD8 of the Joint Core Strategy (2017).

- 23 All new hard surfacing areas shall be permeable or drain to a permeable area and shall be carried out in accordance with the approved details prior to first occupation of any part of the development.

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

- 24 Prior to the implementation of any new boundary treatments, including boundary walls, fences or other means of enclosure, details shall be submitted to and approved in writing by the Local Planning Authority. The details shall include materials and elevation drawings of fences and walls. The boundary treatments shall be carried out in accordance with the approved details.

Reason: In the interests of the character and appearance of the area and residential amenity, having regard to adopted policies D1 and SL1 of the Cheltenham Plan (2020) and adopted policies SD4 and SD14 of the Joint Core Strategy (2017).

- 25 The development shall be carried out in accordance with the proposed measures set out in the 'Briary Energy - Energy Strategy Statement dated April 2025'.

Reason: In the interests of reducing carbon emissions, having regard to adopted policies adopted policy SD3 of the Joint Core Strategy (2017) and guidance set out in Cheltenham Climate Change SPD (2022).

- 26 No dwelling or apartment building hereby approved shall be occupied until the proposed solar PV panels serving that dwelling or apartment building have been fully installed and in accordance with details (to include their operation, design, appearance and positioning on the roof) which shall have been submitted to and approved in writing by

the Local Planning Authority. The solar PV panels shall be retained as such thereafter unless otherwise first agreed in writing by the local planning authority.

Reason: In the interests of the character, appearance and amenities of the area and reducing carbon emissions, having regard to adopted policies D1 and SL1 of the Cheltenham Plan (2020), adopted policies SD3, SD4 and SD14 of the Joint Core Strategy (2017) and guidance set out in Cheltenham Climate Change SPD (2022).

- 27 Details of the type/model, location and predicted noise levels of the proposed air source heat pumps (ASHPs) shall be submitted to and approved in writing by the local Planning authority. An ASHP(s) shall be installed prior to first occupation of each dwelling or apartment building hereby approved and in accordance with the details approved. The ASHPs shall be retained as such thereafter unless otherwise first agreed in writing by the Local Planning Authority.

Reason: To safeguard the amenities of future occupiers and neighbouring properties and to reduce carbon emissions, having regard to adopted policies D1 and SL1 of the Cheltenham Plan (2020), adopted policies SD3, SD4 and SD14 of the Joint Core Strategy (2017) and guidance set out in Cheltenham Climate Change SPD.

- 28 No dwelling or apartment hereby permitted shall be connected to mains gas supplies for the purposes of domestic hot water or space heating.

Reason: To ensure that the development contributes towards the mitigation of Climate Change, having regard to Strategic Objective 6, policies SD3 and INF5 of the Joint Core Strategy (2017) and the guidance set out in Cheltenham Climate SPD (adopted 2022).

- 29 The development shall be carried out in accordance with the Arboricultural Method Statement set out in 'Tree Maintenance Ltd - Arboricultural Implications Assessment and Arboricultural Method Statement ref. 13346/74750, dated March 2024. Tree protective measures shall be installed in accordance with the approved Tree Protection Plan and Signage (Pittville School Tree Protection Plan 13346/74750) and shall remain in place until the completion of the construction process.

All paths, parking areas and other forms of hard landscaping that fall within the tree Root Protection Area(s) of retained trees and shrubs shall be constructed using a no-dig method.

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

- 30 Notwithstanding the submitted details, prior to the commencement of above ground works full design of the following works shall be submitted and approved in writing by the local planning authority. The details shall include the method of construction and a timetable for their implementation.

Footpath connections to Albert Road and Cakebridge Road

Reason: To promote pedestrian links to the surrounding footpath network and to ensure a safe and suitable access to the development is provided for all users, having regard to adopted policy INF1 of the Joint Core Strategy (2017) and section 9 of the NPPF (2024).

- 31 All trees and planting within the site shall be retained unless shown on the approved drawings as being removed. Any trees or planting indicated on the approved drawings

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 (October to March inclusive) with other trees or plants of a location, species and size to be first approved in writing by the Local Planning Authority. Any pruning works within the five year period shall be carried out in accordance with BS 3998:2010 (or any standard that reproduces or replaces this standard).

Reason: In the interests of visual amenity, having regard to Policies GI1 and GI2 of the Cheltenham Plan (2020).

- 32 Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and/or re-enacting that order with or without modification), no extensions, garages and outbuildings (excluding garden sheds) shall be erected without express planning permission, unless forming part of the development hereby permitted.

Reason: Any further extension or alteration requires further consideration to safeguard the amenities of the area, having regard to adopted policies D1 and SL1 of the Cheltenham Plan (2020) and adopted policies SD4 and SD14 of the Joint Core Strategy (2017).

- 33 The development shall be carried out in accordance with the recommendations of the approved Travel Plan ('rappor Travel Plan dated April 2025 ref. 250195 Issue 1) and in accordance with a timetable for implementation which shall be agreed in writing by the Local Planning Authority.

Reason: To ensure the provision and enhancement of all modes of transport, in the interests of sustainable development and having regard to Section 9 of the NPPF (Dec 2024).

- 34 Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and/or re-enacting that order), the first floor windows in the side (south) elevation of Plots 36-41 shall at all times be glazed with obscure glass to at least Pilkington Level 3 (or equivalent) and shall be non-opening unless the parts of the window which can be opened are more than 1.7 metres above floor level of the room that the window serves.

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

- 35 Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and/or re-enacting that order), the first floor windows in the side (east) elevation of Plots 53-54 and the side (east) elevations of Plots 1 and 58 shall at all times be glazed with obscure glass to at least Pilkington Level 3 (or equivalent) and shall be non-opening unless the parts of the window which can be opened are more than 1.7 metres above floor level of the room that the window serves.

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

- 36 Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and/or re-enacting that order with or without modification), no additional windows, doors and openings shall be formed in the without express planning permission.

Reason: Any further openings require detailed consideration to safeguard the privacy of adjacent properties, having regard to adopted policy SL1 of the Cheltenham Plan (2020) and adopted policy SD14 of the Joint Core Strategy (2017).

INFORMATIVES

- 1 In accordance with the requirements of The Town and Country Planning (Development Management Procedure) (England) Order 2015 and the provisions of the NPPF, the Local Planning Authority adopts a positive and proactive approach to dealing with planning applications and where possible, will seek solutions to any problems that arise when dealing with a planning application with the aim of fostering the delivery of sustainable development.

At the heart of this positive and proactive approach is the authority's pre-application advice service for all types of development. Further to this however, the authority publishes guidance on the Council's website on how to submit planning applications and provides full and up-to-date information in relation to planning applications to enable the applicant, and other interested parties, to track progress.

In this instance, the authority sought revisions to the design and layout of the scheme in the interests of good urban design and affordable housing needs, the character and appearance of the conservation area and locality in general, access and highway safety, retained trees, ecology and biodiversity and the amenities of neighbouring land users.

Following these negotiations, the application now constitutes sustainable development and has therefore been approved in a timely manner.

- 2 This estate road and drainage layout will require approval under Section 38 of the Highways Act 1980 if it is to be adopted as 'highway maintainable at public expense'. There are detailed issues that need to be approved in order to achieve technical approval under that process and the applicant/developer should be advised to contact Gloucestershire County Council to ensure that approvals and agreements are secured before commencement of works.

The obtaining of planning permission for any design/layout will not be considered as a reason to relax the required technical standards for the adoption of the road and drainage and any changes may necessitate the submission of further planning applications. If the road is to be private then the residents should be advised that they may be taking on the responsibilities and liabilities of the highway authority with regards to maintenance, snow clearance etc. and advised to take advice on public liability insurance against claims associated with those responsibilities.

- 3 The applicant/developer is requested to erect a sign at the boundary of the new estate street with the nearest public highway providing the developer's contact details and informing the public that the County Council is not responsible for the maintenance of the street.
- 4 Before undertaking any work on site, the applicant/developer must determine if Severn Trent has any assets in the vicinity of the proposed works. Severn Trent records can be accessed at www.digdat.co.uk

Severn Trent Water advise that even if statutory records do not show any public sewers within the area specified, there may be sewers that have been recently adopted under The Transfer of Sewer Regulations 2011.

Severn Trent records indicate that there are assets that may be affected by this proposal and as such the applicant must contact Severn Trent before any on-site works takes place.

Public sewers and Water mains have statutory protection and may not be built close to, or diverted without consent, consequently the applicant/developer must contact Severn Trent Water to discuss the proposals. Severn Trent will seek to assist the applicant/developer obtaining a solution which protects both the public sewer and the proposed dwellings.

- 5 All birch trees to be planted should be of container grown stock (not root-balled). Trees should be regularly watered with min 20 litres of water weekly for at least the first year (April/May-Sept, depending on rainfall). Composted mulch should be placed to a depth of 3" depth to a diameter of 1 metre around the base of trees at the time of the first watering (to reduce evaporation and competition by weed growth). Therefore it is strongly recommended that a local Bali Registered contractor is engaged to supply and plant (and guarantee) all trees.

All new streets must be tree lined as required in the National Planning Policy Framework. All proposed street trees must be suitable for transport corridors as defined by Trees and Design Action Group (TDAG). Details should be provided of what management systems are to be included, this includes root protections, watering and ongoing management. Street trees are likely to be subject to a commuted sum.

- 6 The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition "(the biodiversity gain condition)" that development may not begin unless:
- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
 - (b) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission would be Cheltenham Borough Council.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These are listed below.

Based on the information available this permission is considered to be one which will require the approval of a biodiversity gain plan before development is begun because none of the statutory exemptions or transitional arrangements listed below are considered to apply.

In summary: Biodiversity gain plans are required to be submitted to, and approved by, the planning authority before development may be begun (the overall plan).

Statutory exemptions and transitional arrangements in respect of the biodiversity gain condition.

1. The application for planning permission was made before 12 February 2024.
2. The planning permission relates to development to which section 73A of the Town and Country Planning Act 1990 (planning permission for development already carried out) applies.

3. The planning permission was granted on an application made under section 73 of the Town and Country Planning Act 1990 and
(i) the original planning permission to which the section 73 planning permission relates* was granted before 12 February 2024; or
(ii) the application for the original planning permission* to which the section 73 planning permission relates was made before 12 February 2024.

4. The permission which has been granted is for development which is exempt being:
4.1 Development which is not 'major development' (within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015) where:

i) the application for planning permission was made before 2 April 2024;
ii) planning permission is granted which has effect before 2 April 2024; or
iii) planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 where the original permission to which the section 73 permission relates* was exempt by virtue of (i) or (ii).

4.2 Development below the de minimis threshold, meaning development which:

i) does not impact an onsite priority habitat (a habitat specified in a list published under section 41 of the Natural Environment and Rural Communities Act 2006); and
ii) impacts less than 25 square metres of onsite habitat that has biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat (as defined in the statutory metric).

4.3 Development which is subject of a householder application within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015. A "householder application" means an application for planning permission for development for an existing dwellinghouse, or development within the curtilage of such a dwellinghouse for any purpose incidental to the enjoyment of the dwellinghouse which is not an application for change of use or an application to change the number of dwellings in a building.

4.4 Development of a biodiversity gain site, meaning development which is undertaken solely or mainly for the purpose of fulfilling, in whole or in part, the Biodiversity Gain Planning condition which applies in relation to another development, (no account is to be taken of any facility for the public to access or to use the site for educational or recreational purposes, if that access or use is permitted without the payment of a fee).

4.5 Self and Custom Build Development, meaning development which:

i) consists of no more than 9 dwellings;
ii) is carried out on a site which has an area no larger than 0.5 hectares; and
iii) consists exclusively of dwellings which are self-build or custom housebuilding (as defined in section 1(A1) of the Self-build and Custom Housebuilding Act 2015).

4.5 Development forming part of, or ancillary to, the high speed railway transport network (High Speed 2) comprising connections between all or any of the places or parts of the transport network specified in section 1(2) of the High Speed Rail (Preparation) Act 2013.

* "original planning permission means the permission to which the section 73 planning permission relates" means a planning permission which is the first in a sequence of two or more planning permissions, where the second and any subsequent planning permissions are section 73 planning permissions.

Irreplaceable habitat

If the onsite habitat includes irreplaceable habitat (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024) there are additional requirements for the content and approval of Biodiversity Gain Plans.

The Biodiversity Gain Plan must include, in addition to information about steps taken or to be taken to minimise any adverse effect of the development on the habitat, information on arrangements for compensation for any impact the development has on the biodiversity of the irreplaceable habitat.

The planning authority can only approve a Biodiversity Gain Plan if satisfied that the adverse effect of the development on the biodiversity of the irreplaceable habitat is minimised and appropriate arrangements have been made for the purpose of compensating for any impact which do not include the use of biodiversity credits.

The effect of section 73D of the Town and Country Planning Act 1990

If planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 (application to develop land without compliance with conditions previously attached) and a Biodiversity Gain Plan was approved in relation to the previous planning permission ("the earlier Biodiversity Gain Plan") there are circumstances when the earlier Biodiversity Gain Plan is regarded as approved for the purpose of discharging the biodiversity gain condition subject to which the section 73 planning permission is granted.

Those circumstances are that the conditions subject to which the section 73 permission is granted:

- i) do not affect the post-development value of the onsite habitat as specified in the earlier Biodiversity Gain Plan, and
- ii) in the case of planning permission for a development where all or any part of the onsite habitat is irreplaceable habitat the conditions do not change the effect of the development on the biodiversity of that onsite habitat (including any arrangements made to compensate for any such effect) as specified in the earlier Biodiversity Gain Plan.

- 7 Sustainable drainage arrangements shall be provided to ensure that surface water from the driveway and/or vehicular turning area(s) does not discharge onto the public highway. No drainage or effluent from the proposed development shall be allowed to discharge into any highway drain or over any part of the public highway.
- 8 This planning permission is subject to a Section 106 legal agreements which provide (in summary) for the following:
 - Affordable housing
 - Green Infrastructure/public open space provision and future management and maintenance
 - Financial contributions to improvements in off-site local play/recreation facilities and allotment provision
 - Education and Library provision/contributions
 - Travel Plan implementation/monitoring
 - Beechwoods SAC Mitigation
 - Statutory minimum 10% Biodiversity Net Gain

The planning permission should be read in conjunction with the s106 legal agreements.

Consultations Appendix

Architects Panel

30th June 2025 –

Design Concept

The panel had no objection to the principle of this development and its provision of new housing in this sustainable location.

Design Detail

The proposed designs appear to reflect the context of the site and although we would like to see something with more design variety we believe this is acceptable for this type of volume housing. The suggestion that the SuDS basin could also be public open space raises some concerns on the practicality of this and we would like clarification on this but the provision / retention of the link to Albert Road was welcomed on sustainability grounds. There are questions on the sustainability as there are limited numbers of south facing roofs for PV panels meaning we question whether the design requirement for this came before the layout? It would be useful to understand where the 701-522 PV panels would be located (between 12 and 9 per property).

Recommendation

Supported, with a request that the council agrees some further detail on SuDS and energy compliance

GCC Local Flood Authority (LLFA) 1

16th June 2025 –

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

Flood Risk

The Flood Risk Assessment and Drainage Strategy document (248-ER-01; 5 March 2025) shows the site is in flood zone 1 and is shown to be at low risk according to the Risk of Flooding from Surface Water.

Surface Water Management

Discharge strategy

The geology is Charmouth Mudstone, which isn't conducive to infiltration and, although there is presence of Cheltenham Sand and Gravels, it is believed to be unlikely that soakaways will not be viable.

In section "6.4. Suitable Watercourse" it is stated that there are no accessible watercourses within a reasonable distance from the development site. It isn't mapped but there is a well established watercourse alongside Albert Road, which appears accessible via the footpath link.

This is higher in the drainage hierarchy and will keep the surface water draining in the same direction it currently is so won't be adding to the Severn Trent Water network. This should be explored and the drainage strategy adapted if deemed viable.

Discharge rates

Surface water will be discharged from the site at 2.4 l/s, which is approximately equal to the greenfield runoff rate for QBar. This will form the development's method for managing runoff volume.

Drainage strategy and indicative plan

Sustainable Drainage Systems (SuDS) will be incorporated into the drainage design through the use of an attenuation pond to store excess surface water. It has been shown that the drainage will function without flooding in a 1 in 100 year event plus 45% for climate change. As well as managing water quantity, the pond will manage water quality (although there is no treatment train used for this) and provide amenity and biodiversity benefits to the development.

Details of how surface water will be managed to ensure the surrounding area is not put at increased risk of flooding during the construction phase of the development has not been provided but can be through a condition.

A detailed maintenance strategy for the SuDS, outline who will be responsible for each feature can be provided through a condition.

Climate change

Climate change appears to be incorporated into the design of the drainage with a value of 45%, which greater than the current estimates from the Environment Agency.

Exceedance flow plan

A plan showing the route that water will take during rainfall events that exceed the design of the drainage has not been provided but can be provided through a condition.

LLFA Recommendation

The LLFA does not believe the drainage hierarchy has been followed and that a discharge to the ditch adjacent to Albert Road could be possible and may be the preferred option. This should be explored and the strategy adapted if necessary or evidence that it can't be done provided.

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

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

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

GCC Local Flood Authority (LLFA) 2

1st October 2025 -

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

Following the LLFAs comments from 13 June 2025 and a change in the layout of the site, the Sustainable Drainage System (SuDS) strategy has been updated and is described in the Flood Risk Assessment and Drainage Strategy document (248-ER-01 A; 12 September 2025).

The major change is the point of discharge is now the watercourse adjacent to Albert Road, the outfall being adjacent to the footpath access on the western side of the site. This is higher in the discharge hierarchy than the previous option for discharging to a public surface water sewer.

There is also a change in layout, which has seemingly resulted in an increase in the impermeable area and a slight change to the pipe network. New simulations have been provided to reflect this change and they show there should be no flooding in the 1% Annual Exceedance Probability (AEP) event plus 40% for climate change (a reduction from the first iteration but still inline with the Environment Agency's current estimates), however, they don't include the details of the pipe network. The change in the layout isn't too significant and the previous simulations show that the site can be developed but these details and simulations should be provided with a detailed design. Finally, the SuDS strategy now includes several swales/bioretention areas across the site that will drain water from the dwellings. Little information has been provided on the design of these and should be provided with a detailed design.

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The major change is the point of discharge is now the watercourse adjacent to Albert Road, the outfall being adjacent to the footpath access on the western side of the site. This is higher in the discharge hierarchy than the previous option for discharging to a public surface water sewer.

There is also a change in layout, which has seemingly resulted in an increase in the impermeable area and a slight change to the pipe network. New simulations have been provided to reflect this change and they show there should be no flooding in the 1% Annual Exceedance Probability (AEP) event plus 40% for climate change (a reduction from the first iteration but still inline with the Environment Agency's current estimates), however, they don't include the details of the pipe network. The change in the layout isn't too significant and the previous simulations show that the site can be developed but these details and simulations should be provided with a detailed design. Finally, the SuDS strategy now includes several swales/bioretention areas across the site that will drain water from the dwellings. Little information has been provided on the design of these and should be provided with a detailed design.

LLFA Recommendation

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

Condition: No development shall commence on site until a detailed Sustainable Drainage System (SuDS) Strategy document has been submitted to and approved in writing by the Local Planning Authority, this should be in accordance with the proposal set out in the approved submission (Drainage Layout 1 of 2 – 248-142-1 A; Drainage Layout 2 of 2 – 248-142-2 A). The SuDS Strategy must include a detailed design and must also demonstrate the technical feasibility/viability of the drainage system through the use of SuDS to manage the flood risk to the site and elsewhere and the measures taken to manage the water quality for the lifetime of the development. The approved scheme for the surface water drainage shall be implemented in accordance with the approved details before the development is first put in to use/occupied.

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

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

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

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

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

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

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

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

CBC Drainage and Flooding 1

30th May 2025 -

An objection is raised to the drainage strategy for this application primarily due to the proposed surface water connection to the south-east of the site. There is a more sustainable option available and the proposed connection does not follow existing runoff/topography and therefore unnecessarily increases flood risk to the sewer network and properties south-east of the site.

There is a drainage ditch ordinary watercourse on Albert Road. LiDAR topography shows approximately a 6m fall from the proposed SUDS pond to this drainage ditch along the proposed footpath within the application boundary. Discharging to this ditch should therefore be feasible and this would mimic the existing site runoff rather than diverting flow elsewhere.

The flood risk assessment (FRA) discusses the importance of a SUDS management train in paragraph 7.2.1 and even mentions that swales have been included in the design, but drainage design drawings only show a piped network to an attenuation pond. This is disappointing for a development of this scale and not fitting with paragraph 182 of the NPPF.

The FRA also acknowledges the importance of interception to prevent runoff of the first 5mm of rainfall but it is not clear how this will be achieved when the proposed systems are compared with guidance in Table 24.6 of the SUDS manual.

An exceedance flow route plan that shows risk to people and property is mitigated is currently not included, but this can be provided at a later stage through a condition when design levels are better understood.

CBC Drainage and Flooding 2

23rd October 2025 –

Comments received 23/10/2025

The drainage strategy has now been updated to discharge controlled runoff to the Albert Road drainage ditch which is higher in the SUDS hierarchy than the previous proposal.

Swales/Bioretenion areas and filter drains have also been added to the drainage layout and the landscaping plan which is pleasing to see and more fitting with paragraph 182 of the NPPF than the previous proposal. There is limited detail on these additional features but this can be provided at a later stage of design.

It should be noted that the urban creep uplift is now specified at 10% domestic for all developments, not 6%, in the latest SUDS standards. But additional storage volumes provided by the swales/bioretenion do not appear to have been included yet in the calculations and the previous calculations demonstrated that runoff control was achievable at a higher climate change uplift. So this technical matter can also be addressed at a later design stage.

I concur with the conditions requested by the LLFA and have no objections provided these conditions are attached if planning permission is granted.

Natural England 1

27th May 2025-

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Insufficient information provided

There is insufficient information to enable Natural England to provide a substantive response to this consultation as required under the Town and Country Planning (Development Management Procedure) (England) Order 2015. Please provide the information listed below and re-consult Natural England. Please note that you are required to provide a further 21 day consultation period, once this information is received by Natural England, for us to respond.

Cotswold Beechwoods SAC

Despite the proximity of the application to European Sites, the consultation documents provided do not include information to demonstrate that the requirements of regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended) have been considered by your authority, i.e. the consultation does not include a Habitats Regulations Assessment.

It is Natural England's advice that the proposal is not directly connected with or necessary for the management of the European site. Your authority should therefore determine whether the proposal is likely to have a significant effect on any European site, proceeding to the Appropriate Assessment stage where significant effects cannot be ruled out. Natural England must be consulted on any appropriate assessment your authority may decide to make.

Natural England advises that there is currently not enough information provided in the application to determine whether the likelihood of significant effects can be ruled out. Please note that we are not seeking further information on other aspects of the natural environment, although we may make comments on other issues in our final response.

On receipt of the information requested, we will aim to provide a full response within 21 days of receipt. Please be aware that if the information requested is not supplied, Natural England

may need to consider objecting to the proposal on the basis of potential harm to the above designated site.

Should the developer wish to explore options for avoiding or mitigating effects on the natural environment with Natural England, we recommend that they use our Discretionary Advice Service.

Please send further correspondence, marked for my attention, to consultations@naturalengland.org.uk quoting our reference 512975.

Natural England 2

26th June 2025 –

Insufficient information provided

There is insufficient information to enable Natural England to provide a substantive response to this consultation as required under the Town and Country Planning (Development Management Procedure) (England) Order 2015. Please provide the information listed below and re-consult Natural England. Please note that you are required to provide a further 21 day consultation period, once this information is received by Natural England, for us to respond.

European/International Sites

Natural England notes that the Habitats Regulations Assessment (HRA) has not been produced by your authority, but by the applicant. As the competent authority, it is your responsibility to produce the HRA and be accountable for its conclusions. This also applies to a HRA which is adopted by the competent authority but produced by someone else. Once your council has reviewed the Applicant's HRA, they should either confirm to Natural England that they are satisfied with it and that the Council will adopt it or they should provide their own HRA and consult Natural England if appropriate (See guidance on when to consult the Statutory Nature Conservation Body- Habitats regulations assessments: protecting a European site - GOV.UK (www.gov.uk)).

Please note that we are not seeking further information on other aspects of the natural environment, although we may make comments on other issues in our final response.

On receipt of the information requested, we will aim to provide a full response within 21 days of receipt. Please be aware that if the information requested is not supplied, Natural England may need to consider objecting to the proposal on the basis of potential harm to the above designated site.

Natural England 3

8th July 2025- Annex A available to view in online documents tab.

SUMMARY OF NATURAL ENGLAND'S ADVICE

NO OBJECTION - SUBJECT TO APPROPRIATE MITIGATION BEING SECURED

Natural England considers that without appropriate mitigation the application would:

- have an adverse effect on the integrity of Cotswold Beechwoods Special Area of Conservation <https://designatedsites.naturalengland.org.uk/>

In order to mitigate these adverse effects and make the development acceptable, the following mitigation measures are required / or the following mitigation options should be secured:

- Mitigation to avoid impacts on the SAC via a financial contribution towards SAAM and SANG projects, to be secured through a s106 agreement, in line with the Cotswold Beechwoods SAC Recreation Mitigation Strategy.

We advise that an appropriate planning condition or obligation is attached to any planning permission to secure these measures.

A lack of objection does not mean that there are no significant environmental impacts. Natural England advises that all environmental impacts and opportunities are fully considered and relevant local bodies are consulted.

Natural England's further advice on designated sites/landscapes and advice on other natural environment issues is set out below.

Cotswold Beechwoods SAC

Natural England notes that the Habitats Regulations Assessment (HRA) has not been produced by your authority, but by the applicant. As competent authority, it is your responsibility to produce the HRA and be accountable for its conclusions. We provide the advice enclosed following the confirmation that your authority has adopted this HRA to fulfil your duty as competent authority.

Natural England notes that your authority, as competent authority, has undertaken an appropriate assessment of the proposal in accordance with regulation 63 of the Conservation of Species and Habitats Regulations 2017 (as amended). Natural England is a statutory consultee on the appropriate assessment stage of the Habitats Regulations Assessment process.

Your appropriate assessment concludes that your authority is able to ascertain that the proposal will not result in adverse effects on the integrity of any of the sites in question. Having considered the assessment, and the measures proposed to mitigate for all identified adverse effects that could potentially occur as a result of the proposal, Natural England advises that we concur with the assessment conclusions, providing that all mitigation measures are appropriately secured in any planning permission given.

Other advice

In addition, Natural England would advise on the following issues.

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

Should the developer wish to discuss the detail of measures to mitigate the effects described above with Natural England, we recommend that they seek advice through our Discretionary Advice Service.

If you have any queries relating to the advice in this letter, please contact me via consultations@naturalengland.org.uk

CBC Ecologist 1

20th May 2025 - 25/00780/FUL Pittville School Full application for the erection of 58 residential dwellings including access, parking, landscaping and associated works

Ecology comments 20th May 2025

The Ecological Impact Assessment (EclA) (Ethos Environmental Planning, April 2025) appropriately describes the ecological features of the site and mitigation required.

The Biodiversity Net Gain (BNG) Assessment (Ethos Environmental Planning, April 2025) calculates a 2.27% gain in area habitat units and a 0.37% gain in hedgerow habitat units.

For a site this size, containing mainly low distinctiveness habitats, a 10% net gain on-site would be expected considering the room available for habitat creation. The residential units are tightly planned with very little space for street-greening - though it is accepted that the private garden space afforded to each dwelling will be accountable for this. The following are suggestions to increase the provision of biodiversity units on-site:

- change the hedgerow provision from non-native to native and increase this where possible, including along street scenes and around parking spaces
- Consider the provision of more mixed scrub around the proposed SUD, allowing access to both the scrub and SUD
- Consider the provision of green roofs on the apartment buildings and bin stores where possible
- Increase tree planting on the street scene and around the green space area

Ecologist 2

14th November 2025 –

Further to previous comments from the ecology consultee dated 20th May 2025, we have now reviewed the Biodiversity Net Gain Report (Ethos Environmental Planning, October 2025), Biodiversity Metric and Ecological Impact Assessment (Ethos Environmental Planning, October 2025), and our response with regards to ecology is provided below.

The EcIA has been updated in line with the revised layout, which sees the retention and protection of mature trees in the south of the site, and the protection of the off-site hedgerows along the western boundary. The development footprint will primarily impact the modified grassland.

As per the previous comments, the conclusions of the EcIA and the proposed mitigation and compensation is considered suitable.

The site is within the Zone of Influence of the Cotswold Beechwoods SAC and as the proposals will lead to a net increase in residential units, a financial contribution will be required in accordance with the Cotswold Beechwoods Recreation Mitigation Strategy. This will need to be secured through a suitable legal agreement.

The Biodiversity Metric shows that the proposals can deliver a 4.05% net gain in habitat units and a 30.7% net gain in hedgerow units. The revisions to the Biodiversity Metric include an increase in developed land, introduced shrubs, mixed scrub and individual trees and a reduction in modified grassland and artificial unsealed surface. The southern boundary hedgerow with trees will be enhanced from 'moderate' to 'good' condition.

Offsite offsetting is proposed to deliver a 10% net gain in habitat units.

If planning permission is granted, the general Biodiversity Net Gain condition will be applied under paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990. This will be listed separately on the decision notice. The proposed on-site habitats are considered to be significant enhancements and a S106 will be required to secure monitoring by the LPA.

The applicant will be required to purchase offsite habitat units from an offsite provider. This will be detailed within the Biodiversity Gain Plan and will form part of the pre-commencement condition

Requirements prior to commencement/conditions to be attached to planning consent:

1. All works shall be carried out in full accordance with the recommendations contained in the Ecological Impact Assessment (Ethos Environmental Planning, October 2025).
2. No development shall take place (including ground works and vegetation clearance) until a Construction Environmental Management Plan - Biodiversity (CEMP-B) has been submitted to and approved in writing by the local planning authority. The CEMP should be kept in the site office for reference for site workers. The CEMP-B shall include, but not necessarily be limited to, the following:
 - i. Risk assessment of potentially damaging construction activities;
 - ii. Identification of 'biodiversity protection zones';

- iii. Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements);
 - iv. A precautionary working method statement for the following species: bats, amphibians, badger, reptiles, nesting birds, and hedgehog;
 - v. The location and timing of sensitive works to avoid harm to biodiversity features (e.g. daylight working hours only starting one hour after sunrise and ceasing one hour before sunset);
 - vi. Details of any external lighting required during construction phase;
 - vii. The times during construction when specialist ecologists need to be present on site to oversee works;
 - viii. Responsible persons and lines of communication;
 - ix. The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person(s);
 - x. Use of protective fences, exclusion barriers and warning signs, including advanced installation and maintenance during the construction period; and
 - xi. Ongoing monitoring, including compliance checks by a competent person(s) during construction and immediately post-completion of construction works.
- The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details.

3. Notwithstanding the submitted details, before above ground works commence a scheme for biodiversity enhancement, such as the incorporation of permanent bat roosting feature(s), hedgehog homes and nesting opportunities for birds, shall be submitted to and agreed in writing with the Local Planning Authority. The approved details shall be implemented prior to the occupation of any of the dwelling houses hereby permitted, and thereafter retained and maintained for the lifetime of the development;

The scheme shall include, but not be limited to, the following details:-

- i. Description, design or specification of the type of feature(s) or measure(s) to be undertaken;
- ii. Materials and construction to ensure long lifespan of the feature/measure;
- iii. A drawing(s) showing the location and where appropriate the elevation of the features or measures to be installed or undertaken; and
- iv. When the features or measures will be installed within the construction, occupation, or phase of the development.

4. Prior to the installation of external lighting for the development hereby approved, a lighting design strategy shall be submitted to and approved by the Local Planning Authority. The details shall clearly demonstrate that lighting will not cause excessive light pollution or disturb or prevent bat species using key corridors, forage habitat features or accessing roost sites. The strategy will:

- a. Identify the areas/features on site that are particularly sensitive for nocturnal species;
- b. Show how and where external lighting will be installed (including the type of lighting), so that it can be clearly demonstrated that areas to be lit will not disturb or prevent nocturnal species using their habitats or wildlife corridors.
- c. show the position and luminance levels of proposed external lighting and how this responds to the landscape setting of the area.
- d. Methods to control lighting control (e.g. timer operation, passive infrared sensor (PIR)).

The scheme should be implemented and maintained in accordance with the approved details for the lifetime of the development.

5. A 30-year Habitat Management and Monitoring Plan (HMMP) shall be submitted to, and approved in writing by, the Local Planning Authority prior to any above ground works of the development hereby approved being undertaken. The plan shall be prepared in accordance with the Biodiversity Gain Plan and must include, but not necessarily be

limited to, the following information:

- I. Description and evaluation of features to be managed, including locations shown on a site map;
- II. Establishment details, including preparation of the land;
- III. Landscape and ecological trends and constraints on site that might influence management; Aims and objectives of management, including ensuring the delivery of at least a 10% net gain in habitat, hedgerow and watercourse (if applicable) units;
- IV. Appropriate management options for achieving the aims and objectives;
- V. Prescriptions for all management actions;
- VI. A work schedule matrix (i.e. an annual work plan) capable of being rolled forward over 5- or 10-year periods;
- VII. Details of the body or organisation responsible for the implementation of the plan;
- VIII. Ongoing monitoring of delivery of the habitat enhancement and creation details to achieve net gain as well as details of possible remedial measures and adaptive measures might need to be put in place; and
- IX. Timeframe for reviewing and reporting on the plan. Reporting on year 1, 2, 5, 10, 15, 20, 25 and 30, with biodiversity reconciliation calculations at each stage.

The HMMP shall also include details of the legal and funding mechanism(s) by which the long term implementation of the plan will be secured by the developer with the management body (ies) responsible for its delivery. The HMMP shall be implemented in accordance with the approved details and all habitats shall be retained in that manner thereafter. Notice in writing shall be given to the Council when the habitat creation and enhancement works as set out in the Biodiversity Gain Plan have commenced and once all habitat creation and enhancements have been completed.

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

- NPPF Para 180 - 194 (Conserving and Enhancing the Natural Environment), National

Planning Policy Framework

- SD9 Biodiversity and Geobiodiversity
- INF3 Green Infrastructure

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

Cheltenham Plan, Adopted 2020.

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

Wildlife legislation context:

- Wildlife and Countryside Act 1981 (as amended)
- Conservation of Habitats and Species Regulations 2017
- Natural Environment and Rural Communities (NERC) Act 2006
- Protection of Badgers Act 1992

Gloucestershire Centre For Environmental Records

20th May 2025 - Report in documents tab.

Urban Design

24th July 2025 – Images within response are available to view in documents.

I have the following concerns with the proposal:

- Poor accessibility & connectivity between the site and adjacent context – in particular the lack of connection between Cake Bridge Rd and the site.
- Weak permeability & legibility within the site, blocked by plots 9&10.
- Attenuation basin - lack of landscaping & placemaking of the public space.
- Ambiguous area/strip of land - left-over space, (adjacent to plot 42).
- Boundary treatments to terraced dwellings.
- Car parking arrangements at plots 1,2,33,35,57,58.
- Siting of plots 6&7 in relation to the attractive mature tree line.
- Apartments – lack of outdoor shared or private amenity space.

Relevant policies:

- NPPF & National Design Guide,
- Joint Core Strategy,
 - o Policy SD4: Design Requirements: i),ii), iii), iv), v), vii)
 - o Principles of Urban Design (Table SD4b)

Urban Design Comments

Accessibility & Connectivity - the site should be highly connected to its neighbours to enable a sustainable, walkable environment for future (and existing) residents. Pedestrian and cycle accessibility is directly associated with the provision of connectivity to and across the site. The proposal offers east-west connectivity via Broad Acre Rd that meanders through the site to connect to a public footpath link to Albert Rd. North-south connectivity is provided via a very circuitous connection from Welland Rd through an unattractive, poorly surveyed alleyway to the recently completed development at Broad Acre Rd. This route then connects into this site at the proposed main access. This connection is very poor and provides little in the way of achieving an attractive, safe and comfortable route between adjacent developments/neighbourhoods.

This proposal should take the opportunity to establish improvements to wider connectivity. A much more direct, safe and attractive route would be to provide a connection from Cake Bridge Rd into the site, this would enhance north-south connectivity in the area. This connection was originally provided in the previously consented reserved matters scheme under application: 19/00053/REM, from the consented outline application: 15/01163/OUT.

This proposal should take the opportunity to establish improvements to wider connectivity. A much more direct, safe and attractive route would be to provide a connection from Cake Bridge Rd into the site, this would enhance north-south connectivity in the area. This connection was originally provided in the previously consented reserved matters scheme under application: 19/ 00053/REM, from the consented outline application: 15/01163/OUT.

Permeability – the proposal blocks internal permeability by the siting of plots 9 & 10, thereby removing the ability for future residents to properly connect across the development. This approach also generates the need for a large turning head outside plot 25 and another outside plot 7 to allow refuse/emergency vehicle manoeuvrability. This could easily be resolved by opening up this blockage to create a 'loop' route instead.

Block structure & legibility – as a result of the blocked permeability resulting from the siting of plots 9&10, the layout's block structure is weakened as there is no longer a clear perimeter block layout and as a result the scheme suffers from poor legibility. (The means by which people naturally navigate and understand a place). This also causes some confusion and lack of a consistent approach to how dwellings face the street relative to each block, how development turns the corner and cumulatively these issues weaken a sense of character and identity. With a few minor amendments to the layout, this could be vastly improved to achieve a scheme that is highly navigable with a more coherent block structure too.

Long-distant views & terminating vista – without wanting to labour the same point again, the

internal view down this blocked street is poor, ending in the rear private garden walls of plots 9&10. Consider the vantage point these internal north-south routes have to long-distant views towards the AONB in the south. The site slopes north-south and opening up these potential long distant views from the high points of the site may be very beneficial to the value and character of this internal street. Consider a similar long-distant view from slightly lower vantage point facing south from Cake Bridge Road for nearby context:

This proposal should take the opportunity to establish improvements to wider connectivity. A much more direct, safe and attractive route would be to provide a connection from Cake Bridge Rd into the site, this would enhance north-south connectivity in the area. This connection was originally provided in the previously consented reserved matters scheme under application: 19/ 00053/REM, from the consented outline application: 15/01163/OUT.

Public open space and attenuation basin – this area of the proposal should provide a dual-use function, allowing for the space to be used as public open amenity space and allowance for potential flood mitigation/attenuation. As such the space should be designed as a landscape-led exercise to achieve this dual-function. There is negligible information from a landscape perspective that seeks to deliver a quality piece of attractive amenity for the scheme.

Linear open space adjacent to plot 42 – this area of grass, while providing rear access to plot 43, is a relatively large area of ambiguous land. This area should be redistributed into the layout and added to be meaningful, public open space instead. If this space is unbuildable due to a physical constraint such as an underground utility, then an alternative approach should be sought that allows this area to be more meaningful and useful to the development. Boundary treatments - a key aspect of place quality in any layout are the boundary treatments. These should be designed and illustrated in detail for all dwellings in the layout.

- Terraces at plots 26-31: the provision of bin, recycling and cycle spaces needs more consideration. While rear access to dwellings is proposed, the front boundaries are very tight and any planting/shrubbery provided may not survive very long. Front treatments to such dwellings should be carefully considered in how they function and they contribute to the street character. In this case I would suggest these frontages can at least accommodate a low wall with a hedge, at a minimum of 1m.

Car parking - excessive garage setbacks (plots 1,2,33,35,57,58)– this is an over-provision of car parking space, driven by the need to provide a gate to the rear of the property and included on properties with generous front garden space. The depth of the parking area is way in excess of what is required and generates large, deep gaps in the streetscene that will negatively impact its character. Consider a different approach to car parking provision for these dwellings that achieves a better relationship to the street.

Massing & scale

The site lies between existing built form from relatively low-density suburban development to 4 storey university accommodation. There is scope within this scheme to be more responsive along the western edge of the site adjacent to the university residence accommodation. This poses an opportunity to densify the development along this edge.

Siting of plots 6&7:

- Plots 6&7 are at odds with the attractive mature tree line. The dwelling at plot 6 is in close proximity to the existing canopy line and faces sideways, including a rear private wall set up against the tree line. This is at odds with the intrinsic character these trees offer the site. Refer to Arboricultural officer for further comment.
- Amenity (overshadowing) - the proximity of plot 6 to the mature trees creates the potential for overshadowing of the dwelling's future private amenity especially as the plots are proposed directly north of the large trees.
- Streetscene A-A (Dwg 942-12): not convinced by the scale of the existing trees

represented by the drawing, in reality there are some trees in very close proximity to these proposed plots that are significantly taller than the proposed detached dwellings currently illustrated by this drawing.

Apartments – (plots 36-41)

- The apartments are well elevated, but the layout fails to achieve good amenity for the residents of the apartment block. There is some green open space to the rear of the block, but this is not designed as a usable space having no relationship to the circulation/use of the building.
- Where is the space for refuse, recycling and cycle storage held?
- A detailed drawing of the ground floor of the apartment block sited over the layout plan would be helpful to show how the block functions and how it responds to the street and the adjacent relationships.
- The car parking arrangement while efficient, is weak in streetscene terms. Decanting car parking spaces from plots 43 & 44 into this run of spaces removes the opportunity for some usable outdoor space, or street tree planting.
- The rear elevation has a dormer window on its left side that might impede plot 35's outdoor privacy.

Materials – I would suggest that the proposed materials are dealt with via condition and assessed on-site by officers.

Parish Council 1

9th June 2025 –

Prestbury Parish Council - Formal Consultee Response

Planning Application 25/00780

Proposed Development: Former Pittville School North Playing Field (58 dwellings)

Date: 28 May 2025

Prestbury Parish Council objects to this application in its current form, while accepting in principle the development of new housing on previously designated playing fields. The Parish Council believes that with appropriate revisions to layout, access, infrastructure provision, and mitigation measures, the scheme could be made compliant with relevant planning policies.

Importantly, Prestbury Parish Council is a statutory consultee for this application, as approximately 10 of the proposed dwellings fall within the parish boundary. This statutory role should be acknowledged in the determination of the application, particularly given that the majority of the development's impact will fall upon Prestbury residents-both those living adjacent to the site and those affected by traffic, access and infrastructure implications.

1. Environmental and Biodiversity Impact

The current application fails to preserve or extend the ecological function of the well-established wildlife corridor that runs from Prestbury Playing Fields across the proposed site to Pittville School and surrounding green infrastructure. There is no evidence of mitigation or compensation for the loss of this corridor.

This contravenes JCS Policy SD9 (Biodiversity and Geodiversity), which requires development to protect, restore and enhance existing biodiversity assets and ecological networks, and also fails to meet the objectives of Cheltenham Plan Policy G11, which emphasises the importance of maintaining green infrastructure links. We urge that the layout be revised to incorporate a continuous, functional wildlife corridor-particularly along the northern and eastern boundaries of the site-supported by appropriate planting, screening, and management measures.

2. Lack of On-Site Community and Recreational Facilities

The proposed scheme includes no community facilities or play provision, despite being primarily composed of family housing. This is inconsistent with JCS Policy INF4 (Social and Community Infrastructure) and Cheltenham Plan Policy CI1, which require developments to provide or contribute to community infrastructure proportionate to need.

In the absence of on-site open space or children's play areas, the development risks exacerbating demand on surrounding amenities, which are already under pressure. This also undermines NPPF Paragraphs 92 and 98, which stress the importance of planning for healthy, inclusive communities and ensuring access to high-quality open space.

3. Highways and Pedestrian Safety Concerns

Access to the development is proposed via Broad Acre Road, a narrow residential street, which raises multiple safety and capacity concerns. The expected traffic volumes-estimated from 58 new dwellings-will significantly increase congestion on Broad Acre Road itself, and at its junction with New Barn Lane, where no mitigation measures are currently proposed. This junction is already problematic at peak times, and the Council supports calls for a mini-roundabout to be considered as part of the highways solution.

Additionally, Broad Acre Road is a designated Public Right of Way (PROW) used by schoolchildren and local residents on foot. The development's proposed access crosses this PROW, creating a potentially dangerous conflict point. Appropriate pedestrian safety measures must be designed into the site access in advance of construction, rather than being reactively imposed following incidents. The Parish Council's concerns here are underscored by Gloucestershire County Council's previous refusal to consider a pedestrian crossing near Park Stores due to "lack of recorded incidents"-a justification that should not apply where preventable safety risks have been clearly identified in advance.

Further downstream, significant congestion already exists at the double mini-roundabouts at Tatchley Lane / Prestbury Road, and increased traffic from this development will exacerbate these problems.

The westbound traffic flow (vehicles turning left out of Broad Acre Road onto New Barn Lane) will also have a notable impact on Albert Road and Evesham Road, both of which are used heavily for school access and by pedestrians, including those attending Pittville School and the student halls located directly adjacent to these routes. These wider network impacts have not been adequately addressed in the Transport Assessment and must be reassessed before permission is granted.

4. Consideration of Alternative Mitigation Options

One possible means of mitigating the increased traffic flows along New Barn Lane-in both eastbound and westbound directions-would be to permit residents of the Starvehall Farm estate to access Prestbury Road via the existing Barley Road bus gate, particularly at peak times. This would offer a direct route to key arterial roads and relieve pressure on already congested junctions such as the double mini-roundabouts at Tatchley Lane, which present well-known safety concerns.

However, while such a measure may offer strategic relief, it also has implications. Opening the bus gate to general traffic at peak times could increase vehicle movements through residential areas, including those with high pedestrian footfall. This includes routes used regularly by schoolchildren, particularly near the main children's play area and sensory garden, and through the cobbled square and eastern sections of Broad Acre Road.

It is worth noting that this mitigation option was originally proposed prior to the construction of the Starvehall Farm estate, and although not pursued at the time due to safety concerns, its

re-exploration may now be warranted given the wider cumulative pressures on surrounding roads-many of which are equally hazardous and situated near schools or student accommodation.

As such, Prestbury Parish Council does not advocate this as a primary or standalone solution, but considers that revisiting its potential use as part of a broader package of traffic mitigation measures may be appropriate. This package should include:

- A re-evaluation of all possible access points to the development (e.g., via Albert Road or improved access on New Barn Lane);
- Physical improvements at key junctions (such as a mini-roundabout at Broad Acre / New Barn Lane);
- Site-specific pedestrian safety upgrades;
- And a comprehensive review of estate-wide and strategic traffic movement patterns.

These options should be considered collectively and subject to public consultation and full road safety assessment.

5. Conclusion

Prestbury Parish Council respectfully urges Cheltenham Borough Council to withhold approval of this application in its current form. Key planning policy issues remain unresolved and require further work, including:

- Provision of a linked and ecologically functional wildlife corridor in accordance with Policy SD9 (JCS) and Policy GI1 (Cheltenham Plan);
- Inclusion of on-site community and play facilities under Policies INF4 and CI1;
- Comprehensive review and redesign of traffic access and pedestrian safety, in line with Policy INF1 and NPPF Paragraphs 110 and 112, including reassessment of wider network impact and mitigation measures.

We reiterate our willingness to engage constructively with Cheltenham Borough Council and the applicant to explore viable solutions and help deliver a scheme that is appropriate, safe, and sustainable for both new and existing residents.

Parish Council 2

22nd October 2025 –

Prestbury Parish Council objects to this application in its current form, while accepting in principle the development of new housing on previously designated playing fields. The Parish Council believes that with appropriate revisions to layout, access, infrastructure provision, and mitigation measures, the scheme could be made compliant with relevant planning policies.

Importantly, Prestbury Parish Council should be a statutory consultee for this application, as approximately 11 of the proposed dwellings fall within the parish boundary. This statutory role should be acknowledged in the determination of the application, particularly given that the majority of the development's impact will fall upon Prestbury residents—both those living adjacent to the site and those affected by traffic, access and infrastructure implications.

1. Lack of On-Site Community and Recreational Facilities

The proposed scheme includes no community facilities or play provision, despite being primarily composed of family housing. This is inconsistent with JCS Policy INF4 (Social and Community Infrastructure) and Cheltenham Plan Policy CI1, which require developments to provide community infrastructure proportionate to need.

In the absence of on-site open space or children's play areas, the development risks exacerbating demand on surrounding amenities, which are already under pressure. This also

undermines NPPF Paragraphs 92 and 98, which stress the importance of planning for healthy, inclusive communities and ensuring access to high-quality open space.

2. Density of houses and privacy

We object to the proposed high-density housing development that directly backs onto existing large detached homes on the grounds of loss of amenity. Such a development is incompatible with the character of the surrounding area and is likely to have a significant impact on the privacy and overall quality of life of current residents, particularly those living in Prestbury. The scale and density of the proposed housing are inappropriate for this location and do not adequately take into consideration the established residential context or the reasonable expectations of neighbouring homeowners.

Furthermore, we believe that the layout of the proposed development could be revised to address these concerns. Specifically, the site plan could be reoriented by 180 degrees, so that the higher-density properties do not directly back onto the larger detached homes. This adjustment would help to preserve the privacy and amenity of existing residents while still allowing for residential development on the site in a more sympathetic and contextually appropriate manner.

3. Environmental and Biodiversity Impact

The current application fails to preserve or extend the ecological function of the well-established wildlife corridor that runs from Prestbury Playing Fields across the proposed site to Pittville School and surrounding green infrastructure. There is no evidence of mitigation or compensation for the loss of this corridor.

This contravenes JCS Policy SD9 (Biodiversity and Geodiversity), which requires development to protect, restore and enhance existing biodiversity assets and ecological networks, and also fails to meet the objectives of Cheltenham Plan Policy G11, which emphasises the importance of maintaining green infrastructure links. We urge that the layout be revised to incorporate a continuous, functional wildlife corridor—particularly along the northern and eastern boundaries of the site—supported by appropriate planting, screening, and management measures.

The April 2025 Biodiversity Net Gain (BNG) report concludes that: "The proposed development fails to achieve a 10% gain in biodiversity units for area and hedgerow habitats, and therefore also fails to satisfy habitat trading rules.

4. Highways and Pedestrian Safety Concerns

Access to the development is proposed via Broad Acre Road, a narrow residential street, which raises multiple safety and capacity concerns. The expected traffic volumes—estimated from 58 new dwellings—will significantly increase congestion on Broad Acre Road itself, and at its junction with New Barn Lane, where no mitigation measures are currently proposed. The Council supports calls for a mini-roundabout to be considered as part of the highways solution.

Additionally, Broad Acre Road is a designated Public Right of Way (PROW) used by schoolchildren and local residents on foot. The development's proposed access crosses this PROW, creating a potentially dangerous conflict point. Appropriate pedestrian safety measures must be designed into the site access in advance of construction, rather than being reactively imposed following incidents. The Parish Council's concerns here are underscored by Gloucestershire County Council's previous refusal to consider a pedestrian crossing near Park Stores due to "lack of recorded incidents"—a justification that should not apply where preventable safety risks have been clearly identified in advance.

Further downstream, significant congestion already exists at the double mini-roundabouts at Tatchley Lane / Prestbury Road, and increased traffic from this development will exacerbate these problems.

The westbound traffic flow (vehicles turning left out of Broad Acre Road onto New Barn Lane) will also have a notable impact on Albert Road and Evesham Road, both of which are used heavily for school access and by pedestrians, including those attending Pittville School and the student halls located directly adjacent to these routes. These wider network impacts have not been adequately addressed in the Transport Assessment and must be reassessed before permission is granted.

5. Consideration of Alternative Mitigation Options

One possible means of mitigating the increased traffic flows along New Barn Lane—in both eastbound and westbound directions—would be to permit residents of the Starvehall Farm estate to access Prestbury Road via the existing Barley Road bus gate, particularly at peak times. This would offer a direct route to key arterial roads and relieve pressure on already congested junctions such as the double mini-roundabouts at Tatchley Lane, which present well-known safety concerns.

However, while such a measure may offer strategic relief, it also has implications. Opening the bus gate to general traffic at peak times could increase vehicle movements through residential areas, including those with high pedestrian footfall. This includes routes used regularly by schoolchildren, particularly near the main children's play area and sensory garden, and through the cobbled square and eastern sections of Broad Acre Road.

6. Conclusion

Prestbury Parish Council respectfully urges Cheltenham Borough Council to withhold approval of this application in its current form. Key planning policy issues remain unresolved and require further work, including:

- o Provision of a linked and ecologically functional wildlife corridor in accordance with Policy SD9 (JCS) and Policy GI1 (Cheltenham Plan);
- o Inclusion of on-site community and play facilities under Policies INF4 and C11;
- o Comprehensive review and redesign of traffic access and pedestrian safety, in line with Policy INF1 and NPPF Paragraphs 110 and 112, including reassessment of wider network impact and mitigation measures.

We reiterate our willingness to engage constructively with Cheltenham Borough Council and the applicant to explore viable solutions and help deliver a scheme that is appropriate, safe, and sustainable for both new and existing residents.

It is worth noting that this mitigation option was originally proposed prior to the construction of the Starvehall Farm estate, and although not pursued at the time due to safety concerns, its re-exploration may now be warranted given the wider cumulative pressures on surrounding roads—many of which are equally hazardous and situated near schools or student accommodation.

As such, Prestbury Parish Council does not advocate this as a primary or standalone solution, but considers that revisiting its potential use as part of a broader package of traffic mitigation measures may be appropriate. This package should include:

- o A re-evaluation of all possible access points to the development (e.g., via Albert Road or improved access on New Barn Lane);

- o Physical improvements at key junctions (such as a mini-roundabout at Broad Acre / New Barn Lane);
- o Site-specific pedestrian safety upgrades;
- o And a comprehensive review of estate-wide and strategic traffic movement patterns.

These options should be considered collectively and subject to public consultation and full road safety assessment.

GCC Education/Libraries - Section 106 Officer 1

9th June 2025 – Due to table format, full response and supporting information are available to view online documents tab.

Summary: Financial contributions will be required to make the development acceptable in planning terms. The County Council would have concerns if provision of and funding for the necessary infrastructure requirements could not adequately be addressed by planning obligation.

The proposal is for 58 dwellings, of which 50 dwellings are qualifying for education. This number of qualifying dwellings for education would be expected to generate an additional demand for 15.000 primary places. There is inadequate spare capacity forecast to be available at the closest schools, therefore Gloucestershire County Council is seeking a contribution of £302,819.10 towards the provision of these places

The proposal is for 58 dwellings, 50 of which are qualifying dwellings for education. This number of qualifying dwellings for education would be expected to generate an additional demand for 7.350 secondary (age 11-16) places. There is inadequate spare capacity forecast to be available, therefore Gloucestershire County Council is seeking a contribution of £204,083.33 towards the provision of these places.

The proposal is for 58 dwellings, 50 of which are qualifying dwellings for education. This number of qualifying dwellings for education would be expected to generate an additional demand for 2.500 secondary (age 16-18) places. There is inadequate spare capacity forecast to be available, therefore Gloucestershire County Council is seeking a contribution of £69,416.10 towards the provision of these places

A library contribution to GCC of £11,368 is required (based on the total proposed 58 dwellings), and which would be used at Prestbury Library to improve customer access to services through refurbishment and upgrades to the library building, improvements to stock, IT and digital technology, and increased services.

GCC Education/Libraries - Section 106 Officer 2

22nd July 2025 - Due to table format, full response and supporting information are available to view in online documents tab.

Summary

Education colleagues have removed the pupils arising from the Oakley Farm development from this assessment for 25/00780/FUL Pittville School.

Therefore the latest education data sheet for 25/00780/FUL Pittville School, as in the first attachment above (entitled UPDATE-Jul 25), shows the reviewed cumulative data (leaving out the pupils arising from the Oakley Farm development) but as you will see, this education data sheet shows that there is no change to the contribution request for 25/00780/FUL with this reviewed data.

GCC Education/Libraries - Section 106 Officer 3

1st December 2025 – Due to table format, full response and supporting information are available to view in online documents tab.

Primary Places Impact:

The proposal is for 58 dwellings, 50 of which are qualifying dwellings. This number of qualifying dwellings would be expected to generate an additional demand for 15.000 primary places. Utilising an operating Margin of 2%, there is currently sufficient capacity to accommodate the proposed number of pupils.

Secondary (11-16) Places Impact:

The proposal is for 58 dwellings, 50 of which are qualifying dwellings. This number of qualifying dwellings would be expected to generate an additional demand for 7.350 secondary (11-16) places. There is inadequate spare capacity forecast to be available; therefore, the County Council is seeking a contribution of £204,083.33 towards the provision of these places.

Secondary (16-18 -Post 16) Places Impact:

The proposal is for 58 dwellings, 50 of which are qualifying dwellings. This number of qualifying dwellings would be expected to generate an additional demand for 2.500 secondary (16-18) places. There is inadequate spare capacity forecast to be available; therefore, the County Council is seeking a contribution of £69,416.10 towards the provision of these places.

Library Considerations:

The nearest library facilities to the development site, based on the approximate distance from the grid coordinates provided, is Prestbury library.

A contribution of £11,368 is required (based on 58 dwellings), and which would be used at Prestbury Library to improve customer access to services through refurbishment and upgrades to the library building, improvements to stock, IT and digital technology, and increased services.

Environmental Health

2nd October 2025 - I have no objections to this application in principal, however there is some potential for noise and dust from construction works to affect nearby noise-sensitive premises during the construction of this development. I would therefore request that a condition is attached to require prior approval of a construction management plan relating to the site which identifies suitable methods for the control of noise dust and other nuisances during the construction of the site. This should include limits on the hours of operation of the site, which should conform to this department's recommended hours of Mon-Fri 7:30AM - 6:00PM, Sat 8:00 - 1:00PM, and no work audible beyond the site boundary on Sundays or Bank Holidays.

Land Contamination Officer

8th December 2025-

On the Public Access system, there is a document called "Ground Investigation logs", no assessment of contaminated land. The logs suggest that the site has not been used for previous development, and there is no sign of made ground or tipping on the site. Our historical maps show the site as being previously used as "allotments".

Therefore I don't feel that further investigation is required, however it would be prudent to attach a condition requiring any signs of contamination uncovered during site development to be suitably investigated before proceeding.

Heritage And Conservation

16th June 2025 -

Description of site and proposal

Outline consent has previously been granted for this site in 2016 with associated Reserved Matters application being approved in 2021. Planning permission is being sought for the construction of 58 dwellings adjacent to Pittville School, Cheltenham.

Relevant Legislation, Policies and Guidance

Of particular importance is the Planning (Listed Buildings and Conservation Areas) Act 1990. Para 16 (2), which requires local authorities to have special regard to the desirability of preserving the special architectural or historic interest of listed buildings and their setting. Para 72(1) requires local planning authorities to pay special attention to the desirability of preserving or enhancing the character and appearance of a conservation area.

The Joint Core Strategy 2017 (JCS) policy SD8 also requires both designated and undesignated heritage assets and their settings to be conserved and enhanced as appropriate to their significance.

A core principle of the National Planning Policy Framework 2024 (NPPF) is for heritage assets to be conserved in a manner appropriate to their significance. Chapter 16, paragraphs 202 - 221 sets out how potential impacts on heritage assets shall be considered. This assessment takes account of the relevant considerations of these paragraphs, including para 203 of the NPPF which requires the significance of heritage assets to be sustained and enhanced and para 212 of the NPPF requiring great weight to be given to the asset's conservation. Also relevant in this instance is para 213 of the NPPF, which requires clear and convincing justification for any harm to, or loss of, the significance of a designated heritage asset and para 215 of the NPPF, which address harm, specifically where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefit of the proposal including, where appropriate, securing its optimum viable use.

Comments on proposed alterations

Following the previous approval for development of the site, it is accepted that the character of this part of the Conservation Area's northern boundary will change from its current openness and semi-rural green space (former play field) associated with the adjacent school to one of 2/3 storey residential development with limited views from the Conservation Area particularly during the winter months.

The proposed scheme is similar in form to the previously approved application on the site. The application information includes a well detailed and considered 'Built Heritage Note' (Heritage Statement)

Regarding the impact on the heritage assets:

A detailed appraisal of the impact on heritage assets within the vicinity has been undertaken by the applicant.

No listed buildings are within 100m of the site. A east-west band of the southern area of the site is covered with mature trees which falls within the Cheltenham Central Conservation Area. Pittville School (locally listed) is located approximately 100 metres from the site's boundary. Its setting and significance is not compromised by the proposed development

The Grade I listed Pittville Pump House sits approximately 200 metres south-west of the site. Glimpses are possible of the development site from the upper floor of the heritage asset, but this will be viewed in the context of many other existing roofscape views. In this context the setting and significance of the Grade I listed building will not be altered.

On a non-conservation issue, it is unfortunate the vast majority of houses are proposed to be built in buff brickwork. In my view it is important to consider more variation of colours and

textures in elevation materials than the two brick colours indicated and this is also applicable to the colour/s and material/s of roof finishes.

I note half the three storey dwellings are close to the southern boundary of the site and will be viewed from the northern boundary of the Conservation Area. However, there is an existing mature tree cluster and landscaping in between. I think it is unfortunate more three-storey development was not considered nearer the middle of the site, thereby reducing the visual impact but this observation and possible design reconsideration may have a marginal impact.

The housing mix and types are well designed and accord with the surrounding development along three of its boundaries regarding scale, height, form and massing.

I recommend all external materials are conditioned and samples inspected.

Conclusion and Recommendation

The proposed development will have a neutral impact on the designated and non-designated heritage assets in my view. It will not cause harm and have no recognised benefit regarding betterment/enhancement.

The previously determined loss of another green open space is unfortunate, but the public benefit of the proposal is significant.

The application accords with heritage related CBC's policies and relevant conservation legislation. I therefore support this application and recommend approval.

Heritage and Conservation 2

24th October 2025 -

Proposal

The application involves the development of 58 dwellings, new access, landscaping and other associated works. The Site forms an open area of open space, located in the far north of the Pittville School complex.

A small area of the development site is located within the boundary of the Cheltenham Conservation Area with this area limited to the provision of an open space and footpath. All proposed development is located beyond the Conservation boundary.

The below comments should be read in conjunction with my previous notes related to this application.

Relevant Legislation, Policies and Guidance

Of particular importance is the Planning (Listed Buildings and Conservation Areas) Act 1990 para 16 (2), which requires local authorities to have special regard to the desirability of preserving the special architectural or historic interest of listed buildings and their setting. Para 72(1) requires local planning authorities to pay special attention to the desirability of preserving or enhancing the character and appearance of a conservation area.

The Joint Core Strategy 2017 (JCS) policy SD8 also requires both designated and undesignated heritage assets and their settings to be conserved and enhanced as appropriate to their significance.

A core principle of the National Planning Policy Framework 2024 (NPPF) is for heritage assets to be conserved in a manner appropriate to their significance. Chapter 16, paragraphs

202 - 221 sets out how potential impacts on heritage assets shall be considered. This assessment takes account of the relevant considerations of these paragraphs, including para 203 of the NPPF which requires the significance of heritage assets to be sustained and enhanced and para 212 of the NPPF requiring great weight to be given to the asset's conservation. Also relevant in this instance is para 213 of the NPPF, which requires clear and convincing justification for any harm to, or loss of, the significance of a designated heritage asset and para 215 of the NPPF, which address harm, specifically where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefit of the proposal including, where appropriate, securing its optimum viable use.

Comments on proposed alterations

The development has limited variety of house types and design, particularly at roof ridge level with little variation in heights. However, this is not a conservation of heritage related matter.

The Applicant has undertaken a detailed appraisal of heritage assets within the vicinity of the development site and provided an analysis of the impact of designated and non-designated buildings. The methodology follows Historic England's guidance GPA:3 The identified assets include:

Grade 1 Listed Pittville Pump Room

Long range glimpsed views of the roofscape of the heritage asset will be available from the wider surroundings. However, this minor visual change would not alter the overall understanding or experience of the asset.

Locally listed Pittville School

The main body of the Site is not considered to contribute to the overall understanding and experience of the Locally Listed Building.

Cheltenham Conservation Area

The character area of relevance to this assessment is the Pittville Character Area.

There will be no change of any key views and any contribution which it would make to the overall experience and appreciation of the Conservation Area would remain unaltered.

The main area of the site (the area which is subject of the proposed residential development) does not form part of the setting of designated and non-designated built heritage assets within the vicinity of the Site. From a heritage perspective, the site is not considered to be of significant townscape and environmental value.

The applicant's detailed and well considered assessment concludes that no harm would arise to the special interest of the Conservation Area either by changes within its area or by changes to the setting of the identified designated and non-designated heritage assets. I concur with the applicant's appraisal.

In my view, the proposed development will have a neutral impact on surrounding identified heritage assets. In addition, there will be significant public benefits generated by the proposed development.

Conclusion and Recommendation

The application accords with the legislation and policies highlighted above. Due to the above reasons, I recommend approval of this application.

Sport England

28th May 2025 -

It is considered that the proposal would affect playing field as defined in The Town and Country Planning (Development Management Procedure) (England) Order 2015 (Statutory Instrument 2015 No. 595).

As the playing field appears not to have been used for at least five years, the consultation with Sport England has been considered as non-statutory.

Notwithstanding the non-statutory status of the consultation, we have assessed the proposal in light of the National Planning Policy Framework (NPPF), in particular paragraph 104, and Sport England's Playing Fields Policy, which is presented within our 'Playing Fields Policy and Guidance Document': www.sportengland.org/playingfieldspolicy

A lack of use of a playing field, or part of, should not be taken as necessarily indicating an absence of need in an area. Such land can retain the potential to provide playing pitches to meet current or future needs.

Sport England's policy is to oppose the granting of planning permission for any development which would lead to the loss of, or prejudice the use of:

- all or any part of a playing field, or
- land which has been used as a playing field land remains undeveloped, or
- land allocated for use as a playing field

unless, in the judgement of Sport England the development as a whole meets with one or more of five specific exceptions. The exceptions are provided in the Annex to this response.

The Proposal and its Impact on playing field

The proposal is for the conversion of a disused playing field for a housing development.

Assessment against Sport England's Playing Fields Policy and NPPF

It is disappointing that the applicants have not addressed paragraph 104 of the National Planning Policy Framework, (NPPF), in their planning statement. However, the applicants do refer to the original application which was granted planning permission in 2016 which we objected to because the then NPPF, did not condone enabling works on playing fields, as current NPPF. December 2024 does not condone enabling works.

The current Playing Pitch Strategy, (PPS) which was adopted in 2024 does not include this area of playing field. However, the adopted Built Leisure and Facilities Strategy, 2024, (BLFS) states the following on page 45.:

School has secured DFE section 77 approval to dispose of some land at the school site to raise a capital receipt to build and replace new sports hall.

We note the PPS does reference a proposed 3G AGP which is currently awaiting determination along with the sports hall, 24/0051/CHREG3.

Therefore, given the site was not identified in the PPS, Sport England considers the proposal to meet our E1 planning policy exception and bullet point a) of paragraph 104 of the NPPF.

We would also like to raise that the occupiers of new development, especially residential, will generate demand for sporting provision. The existing provision within an area may not be able to accommodate this increased demand without exacerbating existing and/or predicted future deficiencies. Therefore, Sport England considers that the new development should contribute towards meeting the demand that they generate through the providing additional capacity off-site.

The level and nature of any provision can be informed by a robust evidence base such as the PPS and BLFS. We would urge CBC to seek some level of contributions towards indoor and outdoor formal sport.

Sport England's Position

Given the above, Sport England raises no objection to the application because it is considered to accord with exception 1 of our Playing Fields Policy and paragraph 104 of the NPPF.

If this application is to be presented to a Planning Committee, we would like to be notified in advance of the publication of any committee agenda(s), report(s) and committee date(s). Please notify Sport England of the outcome of the planning application.

Minerals and Waste Policy Gloucestershire 1

11th June 2025 – Due to table format, response in online documents tab.

Minerals and Waste Policy Gloucestershire 2

9th July 2025- Due to table format, response in online documents tab.

Minerals and Waste Policy Gloucestershire 3

21st October 2025- Due to table format, response in online documents tab.

County Archaeology

4th June 2025 -

Full application for the erection of 58 residential dwellings including access, parking, landscaping and associated works. | Pittville School Albert Road Cheltenham Gloucestershire GL52 3JD

Thank you for consulting the archaeology department on this application. The county Historic Environment Record shows that no known heritage assets are located within the proposed development site. The nearest archaeological investigation to the east recorded two undated linear ditches, Roman settlement has been recorded approx. 600m to the southwest, a medieval deer park is located 350m to the north and Pittville Park is a Grade II registered Park and Garden (NHLE no. 1000196) which lies approx. 300m to the southwest.

On the basis of the available evidence I consider there to a low potential for significant archaeological remains to be impacted by the proposals. I therefore advise that no archaeological investigation is necessary in relation to this application.

GCC Highways Planning Liaison Officer 1

17th June 2025 –

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

The justification for this decision is provided below.

The site has had a permission for a similar development some years ago and it is considered that the principle of the development has therefore been established by that permission.

The application is supported by a Transport Assessment and the projected traffic numbers and distribution are considered reasonable and unlikely to result in a severe impact on the local highway network as required by NPPF.

The site access is compliant with design guidance for this scale of development in this location although further Technical Approval will be required in order for the necessary legal agreements to be completed,

The TA also includes an assessment of a number of pedestrian routes to local facilities and services and whilst one route was found to require some improvement it was argued that there was an alternative route that was considered to provide a good level of provision when measured against the requirements it is accepted that there is no need for further off site works particularly as the routes had previously been determined to be acceptable.

The available bus services are considered to offer a reasonable alternative to the private car.

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

Conditions

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

Before occupation each dwelling shall be provided with a properly constructed access to the adopted highway to at least base course level. Construction traffic will be managed to ensure there is no parking on the public highway of either staff or delivery vehicles at any time.

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

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

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

This estate road and drainage layout will require approval under Section 38 of the Highways Act 1980 if it is to be adopted as 'highway maintainable at public expense'.

There are detailed issues that need to be approved in order to achieve technical approval under that process and the developer should be advised to contact Gloucestershire County Council to ensure that approvals and agreements are secured before commencement of works. The obtaining of planning permission for any design/layout will not be considered as a reason to relax the required technical standards for the adoption of the road and drainage and any changes may necessitate the submission of further planning applications. If the road is to be private then the residents should be advised that they may be taking on the responsibilities and liabilities of the highway authority with regards to maintenance, snow

clearance etc and advised to take advice on public liability insurance against claims associated with those responsibilities.

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

GCC Highways Planning Liaison Officer 2

1st December 2025-

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

The justification for this decision is provided below.

The site has had a permission for a similar development some years ago and it is considered that the principle of the development has therefore been established by that permission.

The application is supported by a Transport Assessment and the projected traffic numbers and distribution are considered reasonable and unlikely to result in a severe impact on the local highway network as required by NPPF.

The site access is compliant with design guidance for this scale of development in this location although further Technical Approval will be required in order for the necessary legal agreements to be completed.

The TA also includes an assessment of a number of pedestrian routes to local facilities and services and whilst one route was found to require some improvement it was argued that there was an alternative route that was considered to provide a good level of provision when measured against the requirements it is accepted that there is no need for further off site works particularly as the routes had previously been determined to be acceptable.

Consideration should be given to the route through the open space to the south west as a cycle route but as the estate appears not to be being offered for adoption this could not be enforced.

The available bus services are considered to offer a reasonable alternative to the private car.

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

Conditions

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

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

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

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

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

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

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

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

Social Housing 1

13th June 2025 – Full response in online documents tab.

Summary

Cheltenham has a substantial affordable housing need and this scheme would make a significant contribution towards meeting the high level of need and demand for more affordable accommodation.

In reflection of our large 3 and 4 bedroom rented need (519 households registered on Homeseekerplus for this type of accommodation), this officer would request greater weight towards the provision of 3 and 4 bedroom social rented homes.

As such, this officer would welcome the following issues to be addressed:

- The plans highlight a lack of 3 bedroom affordable homes for affordable housing; 3 x 3 bedroom for shared ownership and 1 x 3 bedroom for social rent
- The plans highlight a lack of 4 bedroom rented affordable homes - the proposed development does not make any provision for social rented 4 bedroom houses.

This is not acceptable.

- Clarification required on accessible housing delivery M4(2) and M4(3) – limited details contained in the planning application regarding the breakdown of the proposed affordable scheme to meet M4(2) and M4(3) requirements.
- Clarify tenure (Social Rent or Affordable Rent) - the planning application mentions 'rented'. The planning application will need to be more specific by confirming that the rented tenure is 'Social Rent'.

Social Housing 2

14th November 2025-

Following this officer's submitted comments dated 12/06/2025 and the various amendments undertaken by the applicant in response, this officer has prepared a short addendum to the previous Housing Enabling comments to address outstanding matters relating to the affordable housing provision.

Apartment Sizes:

The applicant's latest revised scheme has amended the size of the 6 x 1 bedroom apartments to ensure that they reflect NDSS requirements. Whilst this translates to a minor reduction in the overall space of the affordable homes, this remains in compliance with (and in excess of) the Council's position as per JCS Policy SD11: Housing Mix and Standards, which requires new development to meet or exceed appropriate minimum standards. This officer is therefore satisfied with the overall sizes of the apartments.

M4(2) delivery

This Officer's latest formal comments, dated 12/06/2025, outline the requirement for applicants to provide 65% M4(2) provision, equating to 15 units. The applicant's latest 'Affordable Housing Key Plan' (drawing number 942-08, revision C) indicates that only 11 of the 23 total affordable homes (equating to 48% of total affordable provision) will meet M4(2) standards. This loss of M4(2) provision can largely be attributed to the classification of the 6 no. 1 bedroom flats as being M4(1), rather than having 3 no. M4(2) ground floor flats and 3 no. M4(1) upper floor flats, as requested in this officer's previous comments.

Revisiting the policy position in this regard, JCS Policy SD11: Housing Mix and Standards requires that- "...Development should address the needs of the local area, including the needs of older people, as set out in the local housing evidence base including the most up to date strategic housing market assessment". Moreover, SD11 continues to state that- "housing should be designed to be accessible and adaptable as far as is compatible with the local context and other policies, including Policy SD8". Turning to the evidence in question, the 2020 Local Housing Needs Assessment identifies a need for 67% M4(2) provision to meet the needs of our increasingly complex and ageing population.

In terms of housing register data, 403 households on our Housing Register require a ground floor home and/or a lift, of which 305 are in 1 bedroom need, and 128 of these are in a reasonable preference bands (Gold or Silver band need). 390 households on the Council's housing register are recorded as having a physical disability, of which 262 are in 1 bedroom need, and 84 are in reasonable preference bands. Looking at a higher barometer of need, 183 households on the Councils' housing register require a level access shower, of which 148 are in 1 bedroom need and 64 are in reasonable preference bands.

This data clearly shows that the Council has an acute need to deliver level access

accommodation to meet our greatest housing needs in line with our policy position outlined within JCS Policy SD11: Housing Mix and Standards. Accordingly, the Council will seek 3 of the 6 one bedroom homes to be provided as M4(2) accommodation, rather than M4(1) in line with this officer's previous comments.

Tree Officer

5th June 2025 –

Overall the scheme appears to be achievable without immediate harm to trees on site. Plot 6 is proposed within the sphere of influence of several sycamores and horse chestnuts which are large and far from fully grown. These will likely cast considerable shade on the plot and future conflict is very likely. It would be preferable to move this plot away from those trees (e.g. by swapping plots 6 and 7 for the SUDS pond) but it is accepted that other considerations influence overall design choices.

Foundation depths and designs should account for the proximity of trees as per NHBC guidelines. Building Control should be consulted for further information.

The arb impact assessment is suitably thorough and considered.

The landscape design is fairly generous and well considered. However, the Trees Section would suggest the following points may be worthy of revisions. Fruiting pears and black mulberries are unsuitable for planting adjacent to parking spaces where they are likely to cause (albeit seasonal) mess on, if not damage to, parked cars. Planting cherry and birch to the north of large established trees may not prove successful. Plots 7 to 12 lack street or front garden trees and this will leave that part of the estate not feeling tree lined (as recommended in paragraph 136 of the NPPF).

Reasoning: to protect the amenity of trees as per Policies GI2 and GI3 of the Cheltenham Plan, and to ensure the planting of suitable species as per Para 136 of the NPPF.

Tree Officer 2

14th November 2025 –

The CBC Tree Section appreciates the moving of the mulberry and the fruiting pears away from parking areas.

There remain some concerns regarding some light demanding tree species (Prunus + Sorbus) to be planted amongst existing trees along the southern boundary. However, overall, the palette of trees to be planted, is overall, a rich and varied collection of native and exotic as well as large and small trees.

All birch to be planted should be of container grown stock (not root-balled).

The planting spec is otherwise acceptable, however, trees should be regularly watered with min 20 litres of water weekly for at least the first year (April/May-Sept, depending on rainfall).

Composted mulch should be placed to a depth of 3" depth to a diameter of 1 metre around the base of trees at the time of the first watering (to reduce evaporation and competition by weed growth).

Therefore it is strongly recommended that a local Bali Registered contractor is engaged to supply and plant (and guarantee) all trees.

Crime Prevention Design Advisor 1

22nd July 2025 -

In my capacity as Designing out Crime Officer (DOCO) for Gloucestershire Constabulary I would like to raise some points for further consideration regarding the

future design and layout proposed in this application which relates to crime prevention.

Design and Access Statement

The design proposals for Pittville School Playing Field are based on an understanding of best practice guidance and reference has been made to the relevant documents including “Safer Places: The Planning System” and “Manual for Streets as well as ACPO “New Homes” guidance.

Within the Design and Access Statement several documents have been listed within the Creating a Safe Place to Live, it's worth pointing out that the following document are no longer valid

- Safer Places was archived and replaced by the Planning Practice Guidance in 2014
- As an organisation, ACPO was replaced in 2015
- Secured by Design (SBD) last used the New Homes title in 2014, the latest version of this document is entitled SBD Homes 2024 and the link will provide access to a copy.

Planning Layout

In regards to the layout, there is an area of ground next to Plot 42 which has no purpose or ownership. It would be useful to understand who will be responsible for the area of ground next to Plot 42?

The apartment block at Plots 36-41 lacks any defined boundary treatment or usable outside space, why hasn't the design allowed for a communal garden of some description?

Where rear garden access is provided and uses a fenced corridor, the entrance gate should be in line with the front façade.

The parking spaces outside of Plot 6 need to create a sense of ownership over the parking area, moving the hedge detail would enclose the parking within the garden.

An area of defensible planting should be added outside of the boundaries to Plots 5 and 6, this natural boundary will reduce the opportunities to access the fence line from a public space and enable someone to climb over.

The rear garden gates for Plots 5 and 6 are uncomfortably close to the public open space and could be a risk. Ideally the building should be moved within the plot so the gate is located on the other side of the building, somewhere near the neighbouring plot.

Public footpath south of the University campus needs to offer clear lines of sight so trees need to have a clear trunk to a height of 2 metres and any shrubs kept under 1 metre in height.

There are no details for a boundary treatment along the footpath leading to Albert Road. A fence should be installed to create a clear divide between public area and the school, this will help safe guard staff and pupils, prevent trespass on school grounds, and stop the playing field being used by dog walkers.

Each of the following local documents detail how crime prevention should be included.

- Section 5: Design Requirements of the Cheltenham Borough Council's Local Plan

- Security and Crime Prevention Supplementary Planning Guidance, Cheltenham Borough Council
- Policy SD4: Design Requirements of the Joint Core Strategy for Cheltenham, Gloucester and Tewkesbury, specifically sub paragraph v. Safety and Security
This message is further explained in these National documents
- CIHT Residential Parking Design guidance note
- Security Overlay to the RIBA Plan of Work
- Chief Planning Officer's letter in July 2017 reminding Authorities of the importance to include crime prevention and counter terrorism security measures
- Section 4.6 detailing Layout and connectivity in Manual for Street, Department of Transport
- Paragraph 135 (f) of the National Planning Policy Framework (NPPF), Department for Levelling Up, Housing and Communities
- Paragraph P2 of the Public Spaces section in the Ministry of Housing, Communities and Local Government's National Design Guide
- Paragraph 12 of the Healthy and Safe Communities section of the Practical Planning Guidance (PPG)
- Section 17 of the Crime and Disorder Act 1998

It is important to stress each of these documents place a requirement for the Planning Authority and the architect/ developer to create designs which prevent crime, the perceived fear of crime and ASB.

Crime Prevention Design Advisor 2

25th November 2025 –

Apologies for the delayed reply, having reviewed the changes to the planning application it was good to see some changes which addressed my initial concerns. However, the following comments have updated the remainder of my concerns dated 21st July 2025.

The rear garden gates for Plot 27 (formally Plot 6) is uncomfortably close to the public open space and could be a risk. Ideally the building should be moved within the plot, so the gate would be located on the northern side of the building.

Public footpath south of the University campus needs to offer clear lines of sight so trees need to have a clear trunk to a height of 2 metres and any shrubs kept under 1 metre in height. Are there any plans to include lighting along this path?

There is very little detail for the footpath leading to Albert Road. It would be useful to know what boundary treatment would be used to create a clear divide between public area and the school, this will help safeguard staff and pupils, prevent trespass on school grounds, and the stop the playing field being used by dog walkers.

Cheltenham Civic Society

17th June 2025 -

We support the development of this site for residential use. But (as we have said before) a site in this location should support denser and more urban development, with squares and terraces. This would also echo Cheltenham and Pittville's vernacular forms.

Access: Ideally there should be a secondary access road either via Albert Road or Cakebridge Road.

The pedestrian access to Albert Road (a long, enclosed footpath without escape routes and unoverlooked) there is likely to feel unsafe especially after dark. How can this be mitigated? To improve pedestrian and cycle permeability within the development, there should be a

pedestrian access route between numbers 9 and 10 and pedestrian/ cycle access to Cakebridge Road.

There is a lack of community space. An attenuation pond, while it can provide space for wildlife, is not a community recreation space.

We ask that the above comments be taken into account should permission be granted.

Severn Trent Water Ltd

21st October 2025 -

With reference to the above planning application the Company's observations regarding sewerage are as follows.

Severn Trent requests that any approval be conditioned as follows:

- o The development hereby permitted should not commence until drainage plans for the disposal of foul and surface water flows have been submitted to and approved by the Local Planning Authority, and
- o The scheme shall be implemented in accordance with the approved details before the development is first brought into use.
- o Planning Practice Guidance and section H of the Building Regulations 2010 detail surface water disposal hierarchy. The disposal of surface water by means of soakaways should be considered as the primary method. If this is not practical and there is no watercourse available as an alternative, other sustainable methods should also be explored. If these are found unsuitable satisfactory evidence will need to be submitted before a discharge to the public sewerage system is considered. No surface water to enter the foul or combined water systems by any means.

Reason

To ensure that the development is provided with a satisfactory means of drainage as well as reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution.

IMPORTANT NOTE: With regard to network capacity, this response only relates to the public waste water network and does not include representation from other areas of Severn Trent Water, such as the provision of water supply or the protection of drinking water quality.

Please note for the use or reuse of sewer connections either direct or indirect to the public sewerage system the applicant will be required to make a formal application to the Company under Section 106 of the Water Industry Act 1991. They may obtain copies of our current guidance notes and application form from either our website (www.stwater.co.uk) or by contacting our Developer Services Team (Tel: 0800 707 6600).

Suggested Informative - affected sewers and water mains

Before undertaking any work on site, all applicants must determine if Severn Trent has any assets in the vicinity of the proposed works. This can be done by accessing our records at www.digdat.co.uk

Severn Trent Water advise that even if our statutory records do not show any public sewers within the area you have specified, there may be sewers that have been recently adopted under The Transfer of Sewer Regulations 2011.

Our records indicate that there are assets that may be affected by this proposal and as such the applicant must contact Severn Trent before any work takes place.

Public sewers and Water mains have statutory protection and may not be built close to, or diverted without consent, consequently you must contact Severn Trent Water to discuss your proposals. Severn Trent will seek to assist you obtaining a solution which protects both the public sewer and the proposed building.

Should you require any further information please contact us on email below.