

Cheltenham Borough Council Planning Committee Minutes

Meeting date: 19 March 2026

Meeting time: 6.00 pm - 6.58 pm

In attendance:

Councillors:

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

Also in attendance:

Tracey Birkinshaw (Director of Planning and Building Control), Chris Gomm (Head of Planning), Michelle Payne (Development Management Manager), Sophie Lunn (Senior Planning Ecologist) and Simon Aley (Locum Senior Planning Solicitor)

1 Apologies

Apologies were received from Councillor Frank Allen. Councillor Jackie Chelin acted as a substitute.

2 Declarations of Interest

There were none.

3 Declarations of independent site visits

The following Councillors attended site 6a during Planning View:

- Councillor Frank Allen
- Councillor Garth Barnes
- Councillor Barbara Clark
- Councillor Iain Dobie
- Councillor Jan Foster
- Councillor Tony Oliver
- Councillor Dr Steve Steinhardt

4 Minutes of the last meeting

It was noted that Councillor Simon Wheeler had sent apologies to the meeting on the 19 February 2026.

Subject to the correction, the minutes of the meeting held on 19 February 2026 were approved and signed as a correct record.

5 Public Questions

There were none.

6 Planning Applications

7 25/01587/FUL - Dowdeswell Park, London Road, Charlton Kings, Cheltenham, GL52 6UT

The Senior Planning Officer introduced the report as published.

There were three public speakers on the item: an objector, the applicant, and the Ward Member.

The objector addressed the committee and made the following points:

- Disappointed that the request for an informal face-to-face meeting with the applicant or a representative to respectfully address concerns was not fulfilled.
- The objector and her husband have lived at a neighbouring property with adjacent land to the site for a combined 30 years and are very proud of the countryside that they maintain. It is a small area of the Cotswolds, but its wildlife, views and public footpaths are truly precious. They are deserving of protection so that hopefully it will continue to flourish for the many generations to come.
- As close neighbours they have witnessed the conception of Dunkerton's Park over the last six years or so. Aside from the occasional loud music, much of its development has been very positive, which they have happily embraced. They have enjoyed visits with friends and families. It is a quality, unique venue that offers much to the community and the many young people it employs.
- However, this objection is about the shared national local and the environment. It is about protecting and preserving the national landscape, a place within the community that is free for all to use and enjoy without cost or compromise.
- This potential commercial venue, is to be repurposed from a brand new seemingly unfinished agricultural barn standing for less than one year, built with intentions of being for farm use. It should not be clearing established woodland boundaries, upsetting wildlife habitats and ancient river corridors views. It should not be doing any of this under the guise of it being good for

the community. Because no matter how nice it might look or how much money is spent, nature and its wildlife does not appreciate our human view on aesthetics because nature is messy.

- Aware there is to be some replanting of trees that were removed in response to the ecology reports request, but doubt it will be sufficient for at least decades in its aid for lost habitats, visual screening, light pollution, and additional noise. Especially as plans state that the business will be in use for 7 days a week, 16 hours a day on average.
- No objection at all to the concept of the padel courts but feel other commercial land at Dunkerton's Park should and could have been considered first before allowing an 87% biodiversity loss of an area of outstanding natural beauty (AONB).
- Studying the plans it was seemingly always the intention to build padel courts, rather than a building for agricultural use. This method of legitimately getting around planning loopholes is misleading. It points to an assumption that the agricultural barn was constructed under false pretences, perhaps for fear of its true intention being rejected. The fear for neighbours is that if change of use permission is granted for this development as submitted, this approach may set a precedent to the applicant to further expand his site. Seeding ideas for the construction of additional agricultural buildings under the permitted development rule to then apply for change of use once in situ. Damaging even more of our AONB, which once it is gone is gone.
- It is also worth considering that any permissions granted for this venue will likely increase the value of the site considerably. A clear benefit to its owner. As someone owning adjacent fields this is concerning. Where does it stop and what are the plans for the long term?
- Ultimately this feels like a legitimate mockery is being made of the planning rules directly under the noses of the very people who implement them. Hope they are wrong but it is sad to see that an area of AONB land, which is supposedly protected by law, can actually just be bought, dismantled at will, and its wildlife habits and views permanently altered. All for a person's commercial gain and profit. Personally hope that more long-term thought is given to what makes the Cotswolds, Charlton Kings and Cheltenham's diminishing countryside special.

The applicant addressed the committee and made the following points:

- Appreciate everything that has been said in the objector's impassioned speech but does not think there is a real understanding of the facts.
- Owns 250 acres of land in the area and within Dowdeswell Wood has been taking back all the conifers and planting deciduous trees to create natural environments. Currently working with the Environment Agency to try and make the reservoir come back to life after it was recently drained. Aiming to create a nature reserve with a wild wetland in the area.
- Thanked officers for recommending that the committee pass the change of use application.
- This is approx.. a £1.5m investment in the area, creating more jobs and delivering what the public patently need and want.
- There are no near neighbours to be disturbed by noise and it will be a fully enclosed building. Environmental Health have raised no issues with the application.

- Trees will be planted to bring back and enhance the landscape and screen the site from the north. Previously this was a derelict and defunct building site, completely unused and unloved. After 9.5 acres of development it is now a beautiful, vibrant tourist attraction that brings in thousands of people to the town. It is loved by the community of Charlton Kings and has been quoted in all sorts of ways as the most positive thing to happen to the area in years.
- Previous trees were removed due to ash dieback requiring them to be taken down.
- No issues have been raised in regards to flooding or by Highways as there is plenty of parking available.
- Thanks were offered to the new ecology officer for making this a much easier process. The applicant will be enhancing habitats with a 10% biodiversity net gain (BNG) on the site or nearby. Hundreds of new trees have already been planted, with thousands more to follow. The river environment will also be enhanced and will bring back the meandering, to bring back something to be proud of that is exciting and beautiful all the way through the site.
- The applicant has funded the building of a music department for Balcarras School in Charlton Kings and is very proud of what has been done for the school. If this project goes forward free lessons will be given to Balcarras students. Wants to work with the local community to deliver something that is exciting and useful and enhancing for everyone. It will enhance youth engagement with free school access and coaching through allocated lessons.
- The plans will stimulate local economic growth through hospitality and community football, and reuse existing structures responsibly whilst preserving the environment. Becoming a padel event and tournament venue will put Charlton Kings on the map and promote sport as part of a healthy lifestyle.

Councillor Day, as Ward Member, addressed the committee and made the following points:

- Had this application been in a sustainable location in the ward, such as the Industrial Estate where La Boulangerie Artisan is located, then the Member would be welcoming it. That would be a sustainable location in ecological, landscape impact, and travel terms.
- Issue is not with the idea of a padel centre, but the location which has the highest level of protection under planning rules.
- Members will be aware that the applicant was granted permission to build the barn structure a year ago in March 2025. The application form stated that the site could not be seen from a public road, public footpath, bridleway or other public land. These photos show that the site is clearly visible along extended sections of public footpaths. In this application, submitted only 7 months after permission for the barn was given, it is now acknowledged that the site is visible from footpaths, and proposes planting a screen of trees to attempt to soften the visual impact. However, given the height of the structure it seems unlikely this will ever be achieved.
- The barn has not been used for any substantive agricultural activity, and it has been stated that an unspecified change in circumstances has led to this application. By a stroke of luck, the structure is the perfect size for 4 padel courts, reception area, shop and changing rooms.

- While a barn is a structure one would expect to see in the AONB, and by supporting farming, helps to conserve and enhance its landscape and scenic beauty as required by paragraph 189 of the NPPF. This is not true of a padel centre.
- Due to the negative visual impact it conflicts with JCS Policies SD6 and SD7, paragraphs 187 and 189 of the NPPF, and Section 245 of the Levelling Up and Regeneration Act 2023 which requires the council as planning authority to seek to further the purpose of conserving and enhancing the natural beauty of the AONB.
- The site is located in an open field on the other side of the river Chelt from the main Dunkerton's site. Access will cut across important wildlife and nature corridors.
- In November 2024 an application to add a first-floor extension to a house close to this site was refused, because it would be over development and would fail to conserve or enhance the Cotswold National Landscape. This refusal was upheld on appeal. I imagine the owner of that property, like me, will be wondering why given that refusal, upheld on appeal, this application is being recommended for approval.
- After continued challenge from the council's ecologist, the latest biodiversity calculation shows a net habitat loss of 87.36%. The bridge and path from the main site into the field will cut across a nature corridor. The bat survey identified that the site provides good quality bat foraging and commuting habitat along the Chelt, and warns that the footpath and bridge will result in habitat loss that could fragment and lower its value for foraging and commuting. Members will know that the UK is one of the most nature depleted countries in the world. As there always seem to be applications to build in the AONB that would result in biodiversity loss this is no surprise to me.
- Following pressure from the council's ecologist, the applicant has agreed to explore on site biodiversity enhancements to reduce the quantity of offsite units that will need to be purchased. However, this will happen after tonight's decision has been made.
- This application should be refused. However, the Member would be supportive of an application to build a padel centre in a sustainable location.

In response to Members' questions, officers confirmed that:

- The recommendation to grant permission is based on the circumstances of this case and the conversion of what is an existing building. If an application for a new building in this location for use as padel courts were submitted, it would be subject to additional considerations. An application for a new building within the AONB would have taken into account that the NPPF gives great weight to conserving and enhancing the national landscape, however in this case the building is already present and the impact has occurred. It is not possible to make a direct comparison because they are two very different proposals, and it is not possible to say what the outcome of a different application would have been.
- Officers were not able to confirm whether trees had to be removed due to safety concerns due to ash dieback but did confirm that a felling license had been reviewed by the council and permission for their removal had been granted.

- The agricultural building was built as permitted development. Before works are carried out an application must be made to the council to see if prior approval is required. As part of the prior approval process, very specific things are taken into account. In this case all requirements were met so the decision was made that prior approval wasn't required and the building could be constructed. There is significant legislation in place around permitted development and in this case the council is satisfied that the building is authorised.
- Officers do not know the background to the change in circumstances around the barn.
- The visibility of the barn from the Cotswold National Landscape would not have been considered as part of the prior approval process.
- Specifics of the actual build are not known and whether there will be soundproofing is not something that the council would necessarily be involved in as part of a planning application. The impact of noise on protected species such as bats and other nocturnal species was considered as part of the ecology officer's report. There may be issues from the vibrations from a padel development of this size, however that has not yet been identified as a problem within legislation, so it is not possible to object on that basis.
- It is not necessary to attach an additional condition in relation to the glazing of the gallery and viewing terrace as the approved plan conditions include the layout of this and the mezzanine. Any deviation to these designs would require additional permissions.
- Concerns were raised about the prominence of the proposed signage and it was confirmed that there is a condition that requires details of any signage to be submitted and approved.
- There is a condition covering external lighting, including that on the bridge, following recommendation by the ecology officer. This has been a big consideration for this application and will need to be seen and agreed before construction of the bridge.
- A conversation took place with Highways where they highlighted how many vehicle trips would be likely to take place in association with the padel courts. Their 'no objection' comment acknowledges that they have not addressed the sustainable transport side. Further contact was made with the officer and they said that following receipt of further information about the likely increase in trips they considered the impact on the highway to be negligible, negating the need for the development to invest in any public transport improvements.
- The trees that are proposed are outside of the BNG requirements and requested ecological enhancements for this application. The conditions require some BNG to be achieved on site and have been agreed upon.

The matter then went to Member debate where the following points were made:

- Appreciate the other works the applicant has carried out for the environment and community, but feel that in this case the approach has been negative. It seems clear that there it was never any intention to use a barn as an agricultural building but was a way to shoehorn the application through. If the application had been brought to the committee as a more honest application from day one would have looked at it a lot more sympathetically. However, the Member could not see any fair argument to refuse the application on planning grounds.

- A Member highlighted that it would be good to see a change in national policy so that in situations where agricultural buildings are built, their use must not be changed for a number of years to stop abuse of the system. It was suggested that the Cabinet Member Planning and Building Control could raise this with the MP.
- The importance of exercise was noted and padel was seen as a very good sport. Mr. Dunkerton's work for the local community and for Cheltenham was also highlighted.
- A number of Members noted that they would be voting in favour of the recommendation reluctantly because it was clear that this was the right decision in planning terms. However, they stressed their dissatisfaction with the approach the applicant had taken.

The Head of Planning highlighted that suspicion or speculation about an applicant's motives are not a material planning consideration. The committee cannot take that into account. Nor is the committee considering whether the building is lawful or whether it is authorised because that has already been determined. Members are solely assessing an application for a material change of use and the impact of that change of use.

The matter then went to the vote on the officer recommendation to permit subject to conditions and S106 legal agreement.

For: 9
Against: 0
Abstain: 2

Voted for the officer recommendation to permit subject to conditions and S106 legal agreement.

8 25/01636/LBC - Gloucestershire County Council, Cheltenham Library, Clarence Street, Cheltenham, GL50 3JT

The Head of Planning introduced the report as published.

In response to Members' questions, officers confirmed that:

- The current windows have deteriorated to the point where they are essentially leaking air and are not meeting the thermal requirements that they should.

The matter then went to the vote on the officer recommendation to grant.

For: 11
Against: 0
Abstain: 0

Voted UNANIMOUSLY for the officer recommendation to grant.

9 Appeal Update

The appeal updates were noted.

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

There were none.