

Committee Report

APPLICATION NO: 23/01874/OUT	OFFICER: Mr Chris Gomm
DATE REGISTERED: 7th November 2023	DATE OF EXPIRY:
DATE VALIDATED: 7th November 2023	DATE OF SITE VISIT: 10/10/2023
WARD: Springbank	PARISH: None
APPLICANT:	HBD Golden Valley Limited
AGENT:	Hgh Consulting
LOCATION:	Land at West Cheltenham, Northern Parcel, South of Old Gloucester Road, Cheltenham
PROPOSAL:	Outline planning permission (with all matters reserved except for access) for a severable and phased development to provide new homes (Use Class C3) and non-residential floorspace comprising flexible commercial and community uses (Use Class E), as well as land for potential primary education (Use Class F1) and other associated infrastructure.

RECOMMENDATION:

To delegate authority to the Head of Planning to **permit** the application subject to:

A) the conditions as set out or substantially similar as may be agreed under delegated authority given to the Head of Planning; and

B) completion of a S106 obligation and/or other legal document to deliver the infrastructure and other mitigation, as set out in this report at paragraphs 7.265 to 7.278, and for alterations to s106 heads of terms as may be agreed under delegated authority given to the Head of Planning in consultation with the Chairman and Vice Chairman of the Planning Committee.

C) In the event that the S106 obligation and/or other legal document remains unsigned nine months after this resolution, that the application be reviewed by the Head of Planning in consultation with the Chairman and Vice Chairman of the Planning Committee, and if no progress is being made delegated authority is given to the Head of Planning to refuse the application in the absence of an agreed S106 Agreement.



1. EXECUTIVE SUMMARY

This Executive Summary has been prepared by AI, with human edits.

- 1.1** This document assesses an outline planning application forming part of the West Cheltenham / Golden Valley Strategic Allocation (JCS Policy A7). The proposal seeks permission for a predominantly residential development, with 500 sqm of employment space, extensive green infrastructure, community facilities, and strategic infrastructure contributions. All matters are reserved for approval at a later date, except access.
- 1.2** The wider site, of which the current application only forms part, is allocated under JCS Policy A7 for 1,100 homes and 45 ha of employment land. The proposal aligns with the Cheltenham Plan (2020), Joint Core Strategy (2017), NPPF (2024/25), and Golden Valley Supplementary Planning Document (2020).
- 1.3** Cheltenham Borough Council cannot demonstrate a five-year housing land supply (this being 2.69 years) and so NPPF Paragraph 11d tilted balance applies (i.e. the presumption in favour of sustainable development).
- 1.4** The application forms part of a broader suite of linked schemes across the allocation. A comprehensive masterplan and infrastructure delivery plan (IDP) have been produced and are considered acceptable. Allocation-wide master planning is judged deliverable.
- 1.5** A Tier 2 Design Code has been prepared and will be secured via condition. The approach is considered high-quality and policy compliant, delivering varied character areas, good connectivity, and strong green infrastructure.

- 1.6 Extensive ecological surveys have been undertaken. The development will achieve 10%+ Biodiversity Net Gain through on-site and off-site measures (Hill Farm, Leckhampton). SANG (Suitable Alternative Natural Greenspace) requirements will be met by a combination of on-site (5.09 ha) and off-site (13.59 ha) provision. Natural England confirms no adverse effects on protected sites.
- 1.7 Significant landscape change is to be expected and is acceptable given the site's allocation for development. There will be a net gain of over 600 new trees with 40 removals (non-high-value).
- 1.8 In respect of amenity and impact on neighbouring residential areas; large, landscaped buffers will protect nearby existing homes. Odour mitigation from Hayden Sewage Treatment Works requires Grampian conditions to ensure certain properties are not occupied unless/until improvement works are undertaken at the treatment works. Noise, air quality and construction impacts are found to be manageable via conditions.
- 1.9 The main vehicular access to the development will be via a new roundabout on Old Gloucester Road. Extensive off-site mitigation and active travel improvements will be secured as will a significant M5 J10 financial contribution (circa £2m), together with other contributions. Two Grampian conditions are required to manage the impact on the local and strategic highway networks
- 1.10 An independent financial viability review has been completed. The proposed development is viable with 31% affordable housing (below 35% policy target but justified). This is on the basis that this is in addition to contributions to be made to education (including primary school land transfer), library contributions, SANG/SAMM, open space, safeguarded pitch land, public art, and the aforementioned highways/active travel measures.
- 1.11 In heritage terms, there will be no harm to nearby listed buildings or scheduled monuments; further archaeological investigation will be required by condition.
- 1.12 In flood risk and drainage terms, the revised layout addresses the updated Environment Agency (EA) mapping and the EA and Local Lead Flood Authority (LLFA) raise no objection.
- 1.13 The scheme accords with the development plan when read as a whole and accordingly can be supported.

2. DESCRIPTION OF SITE AND PROPOSAL

- 2.1 The applicant, HBD Golden Valley Limited (previously called HBD X Factory Limited) (HBD), the development partner of Cheltenham Borough Council (CBC) as landowner, seeks outline planning permission for "Outline planning permission (with all matters reserved except for access) for a severable and phased development to provide new homes (Use Class C3) and non-residential floorspace comprising flexible commercial and community uses (Use Class E), as well as land for potential primary education (Use Class F1) and other associated infrastructure." This application is for a maximum of 443 homes and up to 500sqm of non-residential uses (Use Class E)
- 2.2 The site covers a total area of 19.66ha and is located within the administrative boundary of CBC and within Springbank ward. The site area is outlined in red on the plan at the top of this report. It comprises land to the west of Cheltenham which is currently in agricultural use and contains several structures associated with Hope Farm. It is bounded to the east by the residential streets of Grist Mill Close, Wheatland Drive, Hazledean Road, Somergate Road, and Hope Orchard, and to the north by Old Gloucester Road (B4634). The land to the west and south forms another part of the Strategic Allocation and is subject to a separate planning application for a residential-led development (22/01817/OUT).

- 2.3** The application is accompanied by a master plan which shows how the site could be developed; layout is a reserved matter and so the master plan is illustrative only. The illustrative master plan shows a scheme comprising a network of typically tree-lined residential streets with a significant corridor of open space along the site's eastern edge. The layout includes potential focal buildings at key locations and pedestrian/cycle connections to adjoining existing and proposed residential areas. A primary school is proposed off-site, and the illustrative master plan shows some of the ancillary land required to deliver that school, within the site. Proposed sports pitches which span the application site and adjacent site are also shown on the illustrative master plan.
- 2.4** Vehicular access is proposed from the site's northern boundary via Old Gloucester Road (B4634). The application, as originally submitted, proposed that the site be accessed via a priority junction to Old Gloucester Road, in a central position on the site's frontage; this has since been amended to a compact three-armed roundabout re-located to the north-western corner of the site (still via B4634 Old Gloucester Road).
- 2.5** The application is also accompanied by an Environmental Statement (ES) as the proposed development constitutes EIA (Environmental Impact Assessment) development in accordance with the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. The ES has been updated via various addendums as appropriate during the determination of the application and assesses a range of social, environmental and economic issues.
- 2.6** The application is supported by various plans; as well as technical documents which are reviewed and explained, as appropriate, in the following sections of this report and are all available to view via the councils website; [23/01875/OUT | Outline planning permission \(with all matters reserved except for access\) for a severable and phased development to provide non-residential floorspace comprising flexible commercial and community uses \(Use Classes E, F and Sui Generis\), new homes \(Use Class C3\) and other associated infrastructure | Land At West Cheltenham Southern Parcel Fiddlers Green Lane Cheltenham Gloucestershire](#)

3. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Airport safeguarding over 10m
 Development Exclusion Zone (UI 121)
 Flood Zone 2
 Strategic Allocations Red Line Boundary
 Smoke Control Order
 Strategic Allocations

Relevant Planning History:

21/02272/PREAPP – Pre application covering both HBD parcels North and South. Mixed use development on 46ha of land owned by CBC and allocated for development in the Cheltenham, Gloucester and Tewkesbury JCS and West Cheltenham SPD

23/00554/SCOPE – Scoping opinion provided by LPA that an Environmental Statement is needed and explained what it needs to contain.

Current/Recent Relevant Planning Applications within West Cheltenham Allocation (JCS Policy A7)

- 24/01268/OUT Southwestern Parcel. 325 dwellings and 43,785 sqm of employment floorspace (submitted by NEMA Golden Valley Limited. Live application

- 23/01874/OUT Northern Parcel. 443 homes and up to 500sqm of flexible non-residential uses submitted by HBD, the development partner of Cheltenham Borough Council (CBC) as landowner (*this application*).
- 23/01875/OUT Southern Parcel. 576 new homes and up to 125,698 sqm (GIA) of employment floorspace submitted by HBD, the development partner of Cheltenham Borough Council (CBC) as landowner (approved 23 December 2025).
- 22/01817/OUT Northwestern Parcel. 1100 dwellings, retirement/extra care accommodation and a flexible mixed-use area with a community hub of 1,300sqm. Brighton STM Developments Ltd and Midlands Land Portfolio Ltd (committee resolution to grant 21 October 2025, S106 negotiations are taking place).
- 26/00001/REM. Reserved Matters for Phase 1 of outline ref. 23/01875/OUT for an Innovation Centre with ancillary cafe and event spaces (Class E), a Mobility Hub (Sui Generis) with flexible retail (Class E) and community uses (Class F). HBD Golden Valley Limited (development partner of Cheltenham Borough Council). Live application.

4. POLICIES AND GUIDANCE

Planning law requires that applications for planning permission to be determined in accordance with the Development Plan unless material considerations indicate otherwise. The following planning guidance and policies are relevant to the consideration of this application.

National Planning Policy Framework 2024 (NPPF) (as amended February 2025) and National Planning Practice Guidance (NPPG)

Adopted Cheltenham Plan (2020) (CP)

D1 Design

L1 Landscape and Setting

BG1 Cotswold Beechwoods Special Area of Conservation Recreation Pressure

BG2 Cotswold Beechwoods Special Area of Conservation Air Quality

SL1 Safe and Sustainable Living

GI2 Protection and replacement of trees

GI3 Trees and Development

C11 Securing community infrastructure benefits

C12 Sports and open space provision in new residential development

C13 Statutory and Non-Statutory Allotments

C14 Broadband provision

Saved policies from the Cheltenham Borough Local Plan 2006 (CBLP)

RT1 Location of Retail Development

RT4 Retail Development in Local Shopping Centres

RT8 Individual Convenience Shops

Adopted Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (2017) (JCS)

SP1 The Need for New Development

SP2 Distribution of New Development

SD3 Sustainable Design and Construction

SD4 Design Requirements

SD6 Landscape

SD7 The Cotswolds Area of Outstanding Natural Beauty

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
INF4 Social and Community Infrastructure
INF5 Renewable Energy/Low Carbon Energy Development
INF6 Infrastructure Delivery
INF7 Developer Contributions
SA1 Strategic Allocations
A7 West Cheltenham

Minerals Local Plan for Gloucestershire (2020)

MLP establishes designated Mineral Consultation Areas (MCAs) and Mineral Safeguarding Areas (MSAs) throughout the county.

Supplementary Planning Guidance/Documents

Golden Valley Development SPD (2020) (Golden Valley SPD)

Cheltenham Climate Change SPD (2022)

The Hesters Way Neighbourhood Plan- They have a designated area which includes the Springbank Ward- Cabinet decision of 5 December 2017 but is unadopted currently.

Other Relevant Policies/Legislation

Town and Country Planning (Environmental Impact Assessment) (EIA) Regs 2017

Human Rights Act 1998

Article 8 (Right of Respect for Private and Family Life)

Planning (Listed Buildings and Conservation Areas) Act 1990

Cotswolds National Landscape Management Plan 2030

National Design Guide and National Design Code (2021)

Gloucestershire's Local Transport Plan 2020-2041 – Adopted 2021 (LTP)

Policy PD0.1 (Reducing Transport Carbon Emissions and Adapting to Climate Change)

Policy PD0.2 (Local Environmental Protection)

Policy PD0.3 (Maximising Investment in a Sustainable Transport Network)

Policy PD0.4 (Integration with Land Use Planning and New Development)

Policy PD0.5 (Community Health and Wellbeing) - Policy PD0.6 (Thinktravel – Influencing Travel Behaviour Change)

Policy PD1.1 (Gloucestershire's Bus Network)

Policy PD1.2 (Improving the Quality of Road Based Public Transport)

Policy PD1.6 (Transport Interchange Hubs) 6.10 6.11

Policy PD2.1 (Gloucestershire's Cycle Network)

Policy PD2.2 (Cycle Asset Management)

Policy PD2.3 (Active Travel: Safety, Awareness and Confidence)

Policy PD4.1 (Gloucestershire's Highway Network)

Policy PD4.4 (Road Safety)

Policy PD4.5 (On-Street Parking)

Policy PD6.1 (Gloucestershire's Pedestrian Network)

Policy PD6.2 (Rights of Way)
Policy PD6.4 (Pedestrian Safety)

5. CONSULTATIONS

All consultation responses are set out in full at the end of the Report or as an Appendix to the Report. All consultation comments can be read in full online at [23/01874/OUT | Outline planning permission \(with all matters reserved except for access\) for a severable and phased development to provide new homes \(Use Class C3\) and non-residential floorspace comprising flexible commercial and community uses \(Use Class E\), as well as land for potential primary education \(Use Class F1\) and other associated infrastructure. | Land At West Cheltenham Northern Parcel South Old Gloucester Road Cheltenham Gloucestershire](#) these comments should be read in full alongside this Report.

A summary of final consultee comments is provided below.

CBC Ecologist: No objection subject to Nature Space consultation and response regarding Great Crested Newts Licensing (GCN), planning conditions and legal agreement.

- A revised GCN Mitigation Strategy has been submitted (as requested by the Nature Space Newt Officer). Revised comments from Nature Space are awaited.
- An updated Biodiversity Net Gain (BNG) Assessment has been submitted. The applicant has committed to delivering a minimum of 10% BNG [despite this not being mandatory in this case]. A final biodiversity metric calculation will be required at a later stage i.e. prior to commencement.
- A Habitat Management and Monitoring Plan (HMMP) will need to be secured by condition (management and monitoring for at least 30 years).
- SANG (Suitable Alternative Natural Greenspace) to mitigate recreational pressures on the Cotswolds Beechwoods SAC, and BNG, will be provided off-site at Hill Farm, Leckhampton; this is acceptable.
- A Habitat Regulations Assessment (HRA) has been undertaken; this sets out that 6.9ha of SANG will be provided on-site and 13.59ha off site (at Hill Farm). It is concluded that the development will not have an adverse effect on the integrity of the Cotswold Beechwoods SAC (alone or in combination with other plans/projects).
- Impact on protected species is acceptable subject to conditions including an Ecological Construction Method Statement and a Construction Environmental Management Plan. [comments are provided on the required scope of these documents]
- A schedule of ecological conditions has been specified and recommended.

Gloucestershire Wildlife Trust (GWT): No objection in principle subject to the matters raised below.

- Habitat connectivity could be strengthened across the site and wider allocation
- The revised documents now show a clearer and more legible Green Infrastructure framework; this is a material improvement on the earlier submission.
- The application remains severable and GWT stress the importance of securing connectivity through planning conditions/reserved matters submission.
- In isolation, Hill Farm represents a suitably scaled and credible SANG however its proposed dual function as both SANG and BNG site introduces an inherent risk. The success of this approach will be dependent on careful habitat zoning, realistic condition targets, robust long-term management, monitoring and remedial measures. Hill Farm will need to be delivered early relative to housing occupations – this should be secured by conditions/legal agreement.

- The Biodiversity Gain Plan [this will be secured later by condition] will need to demonstrate that the BNG habitats are compatible with the recreational use, targets are realistic and enforceable, and that long-term management, monitoring and remedial measures are fully secured via legal mechanisms.

Gloucestershire Newt Officer: Further information required

- The applicant should submit a Nature Space Report or Certificate to demonstrate that the impacts of the proposed development can be addressed through Cheltenham Borough Council's District Licence; *or*
- Provide further information in the form of an outline mitigation strategy which demonstrates how the applicant will carry out the development in a way that avoids, reduces or compensates for impacts on great crested newts, including long term management and monitoring

Cotswold Natural Landscape Board: No objection

- The proposed development will be located within the setting of the Cotswold Natural Landscape.
- The board agrees with the findings of the submitted Environmental Statement – that the development would not give rise to an overall significant adverse impact on the landscape and scenic beauty of the national landscape and that any identified adverse impacts, including cumulative impacts, could be avoided and minimised.
- The board acknowledges the applicant's in principle agreement to the conditions recommended in the board's October 2024 consultation response.
- The board recommends that the local planning authority ensures that the planning decisions are consistent with relevant national and local planning policy and guidance.

Historic England: No comment

Gloucestershire County Council Highways: No objection subject to conditions and financial obligations.

- The Highway Authority is satisfied that the proposed roundabout etc. provides a suitable alternative to that previously proposed.
- The following financial contributions are requested:
 - £2,003,027.69 - M5 Junction 10 works
 - £74,085 - Residential Travel Plan Deposit
 - £7000 - Residential Travel Plan Monitoring Fee
 - £620,000 - new bus service
 - £60,859 - Marsland Road Active Travel Scheme
 - £45,000 - Traffic Regulation Orders
- An amended Grampian condition is recommended preventing the occupation of no more than 200 dwellings and 500sqm of commercial floor space until the M5 J10 improvement works have been completed.
- Further conditions are recommended requiring the submission of detailed design drawings (of the roundabout etc.); TROs relating to amended speed limits on Old Gloucester Road; active travel measures; interim bus strategy; residential travel plan and a construction management plan.

Environment Agency: No objection subject to conditions

- A condition is recommended requiring the submission of a detailed flood risk analysis as is a condition ensuring that no raising of ground levels, nor storage of materials, within the part of the site liable to flood.

Local Lead Flood Authority (GCC): No objection subject to conditions.

- Conditions are suggested requiring the submission of a Sustainable Drainage System (SuDS) Strategy, a SuDS Management and Maintenance Plan and a Construction Phase Surface Water Management.

Drainage Officer (CBC): No objection

- The basins could have been integrated within the flood zone provided that supporting analysis was provided to show they would remain operational and any flood volume displacement was mitigated. Nevertheless, there are no objections to the revised locations of the basins.
- It is concerning that swales around the development now appear to be completely replaced with pipe network on the drainage strategy drawings, which would further distance the strategy from the principles of the national standards for sustainable drainage systems. This also appears to contradict the BNG assessment which states 0.06ha of bioswales and 0.1ha of raingarden are to be provided by the development.
- There appears to be a mapping error with the surface water outfall from the site (MH57) and the pipe network from the basins to the watercourse below public open space is unnecessary (these could be shorter open channels/swales), but these details can likely be addressed in later drainage and landscape conditions.

Minerals and Waste (GCC): Comments

- No preliminary mineral resource assessment was carried out at the plan making stage and consequently, no mineral safeguarding policy exemption exists.
- Based on local records, the probability that materially significant quantities of underlying mineral resources are present within the application site is deemed to be low
- No further information is required nor do GCC Minerals & Waste seek the imposition of a pre-commencement condition(s).

Education and Libraries (GCC): Comments

- The following financial contributions are requested:
 - £2,891,644.60 - primary education
 - £1,808,178.34 - secondary education
 - £566,931.99 - post-16 secondary education
 - £215,142.95 - libraries.

Urban Design (CBC): Summarised as follows:

- The revised masterplan addresses the main concerns previously raised about the relationship between land parcels, now demonstrating well-connected GI corridors, accessible walking routes and building groupings that properly enclose and define key public spaces. These elements are essential to good placemaking.
- Although still illustrative at outline stage, the design process shows that the proposed quantum and mix of uses can be successfully accommodated.
- The placemaking rationale is clearly set out in the Design and Access Statement and is supported and regulated by the accompanying Tier 1 Design Code (rev. Jan 2026).

Urban Design (external): No objection subject to review of:

- Relocation of the sports pitches from under power lines

- Creating a clearer pedestrian connection east/west between the school and the new public square. This applies to both school location options and is not dependent on the school building design. Parameter plans are to be provided for both school options which establishes the principles regarding pedestrian and vehicular access, landscape treatment and the position in principle of the entrance to the school.
- Parameter plan adjusted to achieve open spaces suggested in the DAS

Landscape and Visual: Approve

- Approve due to the adverse landscape character and visual effects being at a less than significant level and manageable through carefully worded Reserved Matters

Design & Crime Advisor (Gloucestershire Constabulary): Concern

- Concern continues to be expressed regarding the lack of information submitted with this application in relation to crime prevention

National Highways: Comments

- A Grampian condition is recommended prescribing that no more than 382 dwellings and 500sqm of Class E floorspace shall be occupied unless or until the M5 Junction 10 'All Movements Improvement Scheme' is complete and is open to traffic.

Active Travel England: Conditional approval

- ATE recommends approval of the application, subject to the agreement and implementation of planning conditions and obligations as set out in this response.
- Conditions recommended to deal with/secure; off-site highway works; internal bus stops; signage strategy and cycle parking.
- Planning obligations are recommended in the form of; financial contributions towards GCC works (namely off-site infrastructure); walking and cycling links; public transport infrastructure (kerbs/shelters/passenger information systems etc.) and a site-wide Travel Plan.

Public Rights of Way (GCC): Comments

- Footpaths ZCH3, ZCH 4 are affected by the development. The proposed route of ZCH 4 appears to be mainly via greenspace and this is in line with circular 1/09. We would expect a surface to be provided for the path to be agreed with GCC PROW.
- The proposal to upgrade ZCH 3 width to accommodate cyclists is not acceptable without sufficient mitigation for the additional use and probably conflict arising and only after discussion with GCC PROW. We would expect detailed design to be provided prior to any works on this path

Sport England: No objection

- Sport England is supportive of the contributions which are to be received to provide sports provision.
- We are concerned about new playing field being provided partly under an electrical pylon line, and would strongly recommend that this avoided, if at all possible.

Tree Officer (CBC): No comment

Archaeology (GCC): Comment

- A condition should be attached to the planning permission to secure a programme of archaeological investigation

Health & Safety Executive: No comment

Natural England: No objection subject to appropriate mitigation being secured.

- It is considered that without appropriate mitigation the application would have an adverse effect on the integrity of Cotswold Beechwoods Special Area of Conservation (SAC)
- The mitigation measures, as set out in the Shadow Appropriate Assessment, are required to mitigate these adverse effects.
- 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. NE concurs with these conclusions providing that all mitigation measures are appropriately secured in any planning permission given.

Environmental Health (CBC): Comments

- Conditions are recommended in respect of:
 - Air quality and dust
 - Noise levels within dwellings
 - Restrictions on piling activities during the construction phase
 - Construction Management Plan (including hours of construction working)
 - Noise limits from extraction/odour treatment and air conditioning
 - Details of any heat pumps
 - Contaminated land

Severn Trent: No objection

- The foul sewage proposals are acceptable to STW subject to S106 application.
- No surface water to discharge to the STW sewer network.

Gloucestershire Airport: No objection

- It is vital that the proposed developments do not compromise the operational ability of Gloucestershire Airport by introducing obstacle features, temporary or permanent.
- The proposed application site lies within the safeguarded area for Gloucestershire Airport.
- There is a general height limitation here (i.e. within the area of the Inner Horizontal Surface) of 22.25m + 45m = 67.25m AOD.
- Gloucestershire Airport Limited has no objection to the proposed buildings comprising the application, as they would not exceed 67.25m AOD.
- A planning condition is recommended requiring the agreement of crane management plans with the Airport prior to commencement of each phase of the development. *[It is not considered that the LPA needs to be involved in conversations between the developer and the airport regarding cranes – no such condition is therefore recommended].*

Housing Enabling Officer (CBC): Comments

- The proposed affordable housing scheme delivers 137 affordable homes (equivalent to 31% affordable housing) following an exhaustive independent viability process.
- The scheme meets the policy requirements of JCS Policies SD11, SD12 and SD4, with the caveat that a number of matters (layout, distribution, visual plans) are reserved matters.
- Nevertheless, the applicant's mix includes a significant proportion of M4(3) affordable provision (7%), in addition to 87% provision of M4(2) level access accommodation well above identified need.
- Additionally, this mix includes 6 no. Social Supported Rented Units to support individuals with low level neurodivergence/mental health needs on their pathway to independence, working with Gloucestershire County Council and other key stakeholders.

- Finally, the provision of 1–5-bedroom homes to Nationally Described Space Standards (above policy requirements) is a significant benefit of this scheme, and, as such, officers are supportive of the currently agreed affordable housing mix.

Gloucestershire Constabulary: Comments

- Financial contributions requested towards policing in the County.
 - £28,476 - Recruitment and equipping of officers and staff
 - £5,897 - Police Vehicles
 - £90,825 - Office Accommodation
 - Total £125,198

Heritage & Conservation (CBC): No observations

- The development proposal is not considered to affect the significance of any designated heritage assets, and their settings, within Cheltenham Borough.

Clean Green (CBC): Comments (re. recycling collection points etc).

6. PUBLICITY AND REPRESENTATIONS

- 6.1** The application was advertised by way of 92 letters sent to neighbouring properties and businesses, site notices displayed at publicly accessible locations adjacent and near to the site, and an advert placed in the Gloucestershire Echo.
- 6.2** During the course of the application a total of 4 third party representations were received, in objection to the proposed development. When each resubmission occurred, the LPA reconsulted the public again.
- 6.3** As noted in the applicant's Statement of Community Involvement considerable public engagement was undertaken by the applicant prior to submission of their planning applications.
- 6.4** All of the comments have been made available on the planning website separately, and should be read in full, but the main comments and concerns raised are summarised as follows:
- The changes [Jan 2026] to the illustrative master plan now show a pedestrian/cycle route and recreational loop alongside an existing neighbours garden and private road; this will increase the risk of trespass, dog incursions, noise, and overlooking.
 - Concerns about sensor-controlled lighting and the impact of this.
 - A water feature adjacent to a neighbouring resident's property will likely be dry for much of the year and therefore attract informal use.
 - Residents will be exposed to trespass and criminal activity; dogs or children entering private gardens; loss of privacy and increased overlooking; noise and disturbance; reduced sense of safety; light pollution directly impacting neighbouring properties and increased dust.
 - The revised masterplan [Jan 2026] will now draw in residents from neighbouring developments; concentrate activity along the northern boundary, the green space is not scaled to absorb this combined use without harming neighbouring amenity.
 - Mature trees should be planted early to shield existing home, especially given its lower elevation and proximity to Phase 2, and a planting timeline.
 - It is requested that a footpath is re-routed away from neighbouring boundaries.
 - Formal boundary fencing and measures to prevent unauthorised access to neighbours private road is requested as well as future maintenance arrangements.

- Neighbours suggest resurfacing the private road alongside council works for consistency.
- SuDs management arrangements are sought.
- Hope Orchard's private road status needs to be confirmed in the application.
- Unclear boundary treatment along the private road.
- Allotment area adjacent to Leinster Close should be increased.
- Clarity is sought on construction hours and hope for minimal weekend disruption.
- Provision needs to be made for the family of deer which live on the site.
- Proposal ignores national and local policies supporting self-build and custom housing.
- Key planning documents (NPPF, JCS, SPD) are cited but relevant sections promoting self-build are omitted.
- The scheme fails to reflect identified demand for self-build plots, making it non-compliant with policy.

7. OFFICER ASSESSMENT

Determining Issues

7.1 The key issues (in no particular order of importance) for consideration are:

- Policy Framework and Principle of Development
- The Golden Valley Supplementary Planning Document
- Design and Layout
- Biodiversity, Ecology and Green Infrastructure
- Landscape, Trees and Visual Impact
- Impact on Neighbouring Amenity
- Odour, Air Quality and Noise
- Sustainability
- Drainage/Flood Risk
- Highway matters
- Viability
- Housing Mix
- Historic Environment
- Section 106 Obligations

Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (EIA Regulations)

7.2 Environmental Impact Assessment (EIA) is a formal procedure underpinned by the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 ('the EIA Regulations'). Following the screening and scoping advice of the LPA the application is supported by an Environmental Statement.

7.3 During the course of the application various EIA addendums have been appended to the original EIA. At the time of writing, it is considered that the conclusions of the Environmental Statement ES (as amended and updated) remain valid in all respects.

Policy Framework and Principle of Development

7.4 The development plan comprises of the saved policies of the Cheltenham Borough Local Plan Second Review 2006 (CBLP), adopted policies of the Cheltenham Plan 2020 (CP) and the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy 2017 (JCS). Material considerations include the National Planning Policy Framework (December 2024 – minor revision February 2025) (NPPF), the Golden Valley Development

Supplementary Planning Document (Golden Valley SPD) (2020) and the national Planning Practice Guidance (nPPG).

- 7.5** Policies D1, SL1, CI1 and CI2 of the Cheltenham Plan and policies EM3, SP1, SP2, INF1, INF2, INF6, INF7, SD1, SD3, SD4, SD10, SD11, SD12, SD14 and SA1 and A7 of the JCS are most relevant.
- 7.6** Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the Development Plan unless material considerations indicate otherwise. Section 70 (2) of the Town and Country Planning Act 1990 provides that the LPA shall have regard to the provisions of the Development Plan, in so far as material to the application, and to any other material considerations.
- 7.7** Policy SP1 of the JCS identifies the need for new development over the plan period from 2011-2031 and identifies the need for approximately 35,175 new homes and a minimum of 192 hectares of employment land. Of these 35,175 new homes, Policy SP1 criterion 3 identifies there is a requirement for at least 10,917 new homes to meet the housing needs of Cheltenham.
- 7.8** Policy SP1 criterion 2 identifies that the strategy for delivering these identified needs will be achieved by, inter alia, urban extensions to Cheltenham. This spatial strategy aims to locate jobs next to economically active population, increase sustainability, and reduce carbon emissions from unsustainable car use.
- 7.9** Policy SP2 criterion 3 sets out 10,996 homes will be allocated within Cheltenham's administrative boundaries and in two cross boundary urban extensions.
- 7.10** Policy SP2 criterion 9 also identifies that employment land will be delivered on these Strategic Allocations to support economic growth in the JCS area, contributing to the overall requirement for of at least 192 hectares of employment land.
- 7.11** Policy SD10 states housing development will be permitted at sites allocated for housing through the development plan, including Strategic Allocations and allocations in district and neighbourhood plans.
- 7.12** The JCS allocates West Cheltenham as a Strategic Allocation under Policy A7 capable of delivering around 1,100 new homes and 45 hectares of employment land by 2031 and states development with be expected to deliver:
- I. Approximately 1,100 new homes*
 - ii. Approximately 45 hectares of B-class led employment land to be focussed upon a cyber security hub and other high technology and high 'Gross Value Added' generating development and ancillary employment uses*
 - iii. All development should be employment led; delivery of housing must be in tandem with employment development*
 - iv. A comprehensive masterplan and development strategy for the Strategic Allocation, set within the context of the safeguarded land at West Cheltenham, which includes:*
 - a) A delivery strategy for employment focussed land release*
 - b) A positive impact on the regeneration of neighbourhoods in west Cheltenham*
 - c) Integrates built form and a comprehensive network of accessible green infrastructure, including local green space. The network will incorporate and protect notable natural features, including the Hatherley Brook, the Fiddlers Green Key Wildlife Site and important trees and hedgerows, and contribute to water quality enhancements.*

- v. *Vehicle accesses from Fiddlers Green Lane and B4634 Old Gloucester Road and facilitate links to the M5 J10 for strategic movements to and from the site*
- vi. *Measures necessary to mitigate the traffic impact of the site, including the use of travel plans to encourage the use of sustainable transport modes*
- vii. *High quality public transport facilities and connections within and adjacent to the site.*
- viii. *Safe, easy and convenient pedestrian and cycle links within the site, to key centres and with neighbouring existing development and the wider green infrastructure network*
- ix. *A distribution of development that takes account of the proximity of the Hayden sewage treatment works and incorporates appropriate spatial planning arrangements and mitigation measures designed to minimise material impacts on residential properties and commercial premises. Development which is likely to be significantly affected by odours will not be permitted within the Odour Monitoring Zone identified on the policies map*
- x. *A landscape buffer to the western boundary of the site which will provide screening between the development and the Hayden sewage treatment works*
- xi. *A layout and form that respects landscape character, significance and setting of the heritage assets at Hayden Farmhouse and Barn*
- xii. *A layout and form that reduces the impact of electricity pylons and high voltage lines; with the siting of residential development being a particular consideration.*

7.13 The Golden Valley SPD provides further guidance on what West Cheltenham should be and how it should be delivered. It reiterates the need for development to be “employment-led” (with a greater focus on cyber and high-technology industries) but increases the allocation capacity to around 2,370 dwellings alongside new public open spaces and community uses to better support the employment hub and create a sustainable new community. Conformity with the supplementary guidance is discussed in the relevant sections below.

7.14 This application only forms *part* of the West Cheltenham strategic allocation. The proposals for this predominantly residential scheme tie into various other applications for the Strategic Allocation A7, which also includes those applications listed in Section 3 above. All of these applications have a role in establishing the requirements for the Strategic Allocation A7.

7.15 It is important to note that the relevant JCS policies do not prevent development from moving forward if one party disagrees with the comprehensive masterplan and it does not prevent separate applications coming forward on a strategic allocation. Officers have worked actively and consistently with the various applicants of the West Cheltenham strategic allocation in the context of effective delivery of JCS to ensure alignment with Policy SA1, which states that “development proposals should enable a comprehensive scheme to be delivered across the developable area within each Strategic Allocation.”

7.16 JCS Policy INF6 requires proposals to consider the cumulative impacts when providing infrastructure. It states that this infrastructure be delivered according to an agreed, phased timeline, in alignment with the other requirements of the JCS.

7.17 JCS Policy SA1 stipulates that proposals must be accompanied by a comprehensive masterplan for the entire Strategic Allocation. The JCS authorities will be flexible in considering various approaches to achieving a comprehensive masterplan, as long as the proposals adequately address the development and infrastructure needs of the wider

allocation and demonstrate that they do not hinder the sustainable delivery of the entire allocation.

- 7.18** Page 81 of the Golden Valley SPD states that an Infrastructure Delivery Plan (IDP) must be agreed upon by developers and landowners before the first planning application is submitted on site. This plan needs to outline a timely approach to infrastructure delivery, including site-wide phasing and trigger targets. The IDP must ensure that the scheme remains commercially viable and market orientated. It is important to note that this requirement is not a specific objective of the Golden Valley SPD but appears in the concluding pages as advisory for future planning applications. Consequently, while it serves as a useful tool, it does not carry the same weight as the development plan policies examined above, which does not require agreement amongst developers.
- 7.19** The application, as well as the others approved by this committee, is supported by an IDP. This IDP outlines the necessary infrastructure for the entire allocation and designates responsibilities for the delivery of each component. The policy states that these plans must be agreed with the LPA, rather than solely among the group of developers. An overarching phasing strategy has been provided to support the application; however, detailed phasing will be required as a condition to allow for future adjustments by whomever develops the site.
- 7.20** The IDP, submitted as part of this application, is supported by an allocation wide comprehensive master plan, which shows that, when viewed as a whole, the separate parameter plans for each application align with one another. For example, the road layouts and green infrastructure are cohesive, reflecting a unified vision for delivering of the wider allocation. The policy explicitly states that the JCS authorities will be flexible in considering different approaches to achieve the comprehensive masterplan.
- 7.21** Officers are satisfied that the comprehensive masterplan meets the objectives of Policies SA1 and A7, as well as the further guidance within the Golden Valley SPD. The indicative phasing plan submitted alongside the comprehensive masterplan and IDP illustrates a natural sequence for development, starting from the edge of the site and progressing inward. This scheme provides the some of the land for the sport pitches, and primary school, which is not considered to prejudice the advancement of other elements of the strategic allocation coming forward, but in fact support them.
- 7.22** This planning application, which forms a meaningful part of the strategic allocation A7, includes the development components which are required by JCS Policy A7. By virtue of the scale of the application site, the proposals also facilitate a comprehensive scheme to be delivered across the developable area within the strategic allocation allowing for infrastructure to be planned comprehensively in accordance with the requirements of Policy SA1 of the JCS. Officers are of the opinion that the planning applications are capable of being implemented to deliver the strategic allocation as a whole.
- 7.23** Officers consider that the application proposals address the strategic ambition of Policy A7 and propose a form of development which is in accordance with Policy A7 and Policy SA1 of the JCS, helping to meet the specific policy requirements and the wider ambitions of the JCS and is in accordance with spatial strategy and adopted Development Plan when read as a whole.
- 7.24** In terms of the decision-making context for the proposed development, legislation requires that the application is to be determined in accordance with the Development Plan unless material considerations indicate otherwise with the application being assessed on its own merits.
- 7.25** The principle of residential development here is considered acceptable, however there is no up to date development plan for Cheltenham as the latest published 5 year housing land supply figure is 2.52 years for housing land supply for which Cabinet at its meeting

on 10th June 2025 approved a [Housing Delivery Test Action Plan](#). As such, paragraph 11d of the NPPF is therefore engaged which states:

Where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a strong 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.*

The overall planning balance is undertaken at the end of the Report.

The Golden Valley Supplementary Planning Document

- 7.26** The purpose of this SPD was to provide further guidance and details relating to the interpretation of policies set out in the JCS. It was commissioned and approved by both Cheltenham and Tewkesbury borough councils. There is detailed design guidance within the Golden Valley SPD, however this relates to one vision of how the development may come forward. The Golden Valley SPD is therefore not seeking to be overly prescriptive and other design approaches may be considered appropriate but only if it can be demonstrated that they still respond positively to the overall Golden Valley SPD objectives and principles including the delivery of a garden community.
- 7.27** The Golden Valley SPD contains 5 overriding objectives, broken into 32 sub objectives.
- 7.28** Whilst the principle is clearly established, the sections below examine the key issues and their relevant sub objectives with reference to relevant development plan policies and other material considerations where appropriate.
- 7.29** Policy A7 of the JCS allocates 45 hectares of employment land in West Cheltenham to ensure a vibrant mixed-use community. The Golden Valley SPD translates the 45 hectares of mixed-use employment land referenced in JCS Policy A7 into approximately '2m square feet of non-residential floorspace'.
- 7.30** The Golden Valley SPD aimed to include a significant amount of employment through dense mixed-use development across the allocation. This proposal however is predominantly housing with only 500sqm of employment; be that as it may, this is what was largely envisaged for this particular area by the Golden Valley SPD.
- 7.31** Additionally, and as previously mentioned, the council is currently unable to demonstrate a five-year housing land supply and consequently the demand for housing is considerable. On balance, it is considered that the absence of employment opportunities within this application is acceptable, as the predominately residential development proposed contributes significantly to the council's five-year housing land supply and supports other applications within the broader allocation by offering extensive community facilities.

Design and Layout

- 7.32** Section 12 of the NPPF sets out that good design is a key aspect to achieving sustainable development and creating better places in which to live. Similarly, Policy SD4 and the relevant criteria of Policy A7 of the JCS, require development to respond positively to and respect the character of the site and its surroundings, including in the case of A7, a layout

and form of development that respects the landscape character and setting of the heritage assets and providing a landscape buffer; Design 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.

- 7.33** The Golden Valley SPD builds on Policy A7 regarding urban design. All objectives contribute to the urban design aspects of the applications; however, objectives B1-4 "vibrant and diverse range of uses and activities to serve existing and new communities," and objectives E1-3 P1-3 "character and placemaking," are particularly important for urban design considerations. The objectives of the Golden Valley SPD have been used to evaluate the urban design merits of the proposal in the following sections of this report.
- 7.34** The design approach for this proposal is primarily outlined in the submitted Design and Access Statement, as amended. The key principles are captured in the Parameters plans and the Tier 2 Design Code (both of which have also been amended). The illustrative masterplan underwent extensive pre-application discussions involving the applicant's team of specialists, including urban designers, transport planners, landscape designers, ecologists, and drainage engineers, alongside the LPAs in-house experts and consultants. This collaborative review of the masterplan led to several amendments, such as reducing the long rows of terraces and parking, including more trees, improving connections to the school, improving connections to the adjacent parcel. The January 2026 iteration of the master plan, in terms of general urban design approach, is substantially the same as earlier iterations.

Design Objectives

- 7.35** The Golden Valley SPD provides a broad masterplan setting out important principles including connections from existing neighbourhoods, the design of green spaces, new homes, employment spaces and community facilities. It lists a series of objectives to be achieved with the development of this site and the wider area masterplan. The below examines the proposal against these specific design objectives. Some objectives span multiple themes within the report, therefore the design elements are covered here, but for example landscape, are explored in further detail further into the report.

Objective B "A vibrant and diverse range of uses serving new and existing communities"

- 7.36** Whilst the proposal does not provide much in the way of employment, this is acknowledged in the context of the wider masterplan. Objective B in the Golden Valley SPD to deliver a range of housing typologies is demonstrated within the Tier 2 Design Code and on the Illustrative masterplan. A range of densities is proposed across the plan to create different character areas. The proposals meet the expectations of the Golden Valley SPD Section B to make best use of the land available, in parallel with providing a range of high-quality green spaces.

Objective C "Working with the natural landscape and its features"

- 7.37** The illustrative masterplan maintains all existing connections while introducing new links to surrounding communities. Additionally, it incorporates a food growing strategy that includes grow zones, foraging areas, orchards, and access to allotments.
- 7.38** Delivering a programme of public art across the proposals is an aspiration of the Golden Valley SPD and will be secured within in the s106 Agreement.

Objective D "An integrated and connected extension of west Cheltenham"

- 7.39** A permeable network of active travel routes is proposed to respect existing Public Rights of Way while enhancing connectivity with adjacent neighbourhoods and promoting public transport use. The pedestrian and cycle connections align with the Golden Valley SPD

framework masterplan, with additional routes suggested for further active travel enhancements.

The masterplan features a comprehensive network of routes and street typologies developed with GCC Highways, serving various functions in the route hierarchy.

Objective E “Highest standards of design, good urban design principles, character and placemaking”

- 7.40** In line with Golden Valley SPD E1 the illustrative masterplan and design code provides a range of densities and building typologies. These have been carefully arranged across the plan to create different character areas. The design very successfully uses rear courtyards that can be moved through to reduce parking on street.

Design Codes

- 7.41** As defined by the NPPF, design codes are sets of illustrated requirements that provide specific, detailed parameters for the physical development of a site or area. The design code should include both graphic and written components that build upon a design vision, such as a masterplan or other development frameworks for the site or area.
- 7.42** NPPF paragraph 115 states that *"the design of streets, parking areas, other transport elements, and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code."*
- 7.43** Additionally, NPPF paragraph 134 notes that *"Design guides and codes can be prepared at an area-wide, neighbourhood, or site-specific scale. To carry weight in decision-making, they should be produced as part of a planning document or as supplementary planning documents. Landowners and developers may contribute to these efforts, but they may also choose to prepare design codes to support planning applications for the sites they wish to develop. Regardless of who prepares them, all guides and codes should be based on effective community engagement and reflect local aspirations for development. They should also take into account the guidance found in the National Design Guide and the National Model Design Code. These national documents should guide decisions on applications in the absence of locally produced design guides or codes."*
- 7.44** In this application, the developers have prepared a design code with the intention of it being approved as part of the outline planning permission. A condition attached to this outline permission will require that all reserved matters adhere to the elements outlined in the Tier 2 design code.
- 7.45** Large developments, such as West Cheltenham, typically have an overarching design code. The Golden Valley SPD contains significant details, and if a design code had been produced by the council, it would likely have repeated many of the points already covered in the Golden Valley SPD.
- 7.46** A Tier 1 code has been established for the entire allocation, and for this application, a Tier 2 code has been developed in collaboration between the LPA and the applicants.
- 7.47** Tier 1 Design Code - The LPA held collaboration meetings with all the developers, each of whom had a slightly different approach to design codes. For instance, some developers, like those involved in this application, submitted their design codes during the outline application phase, while others, such as MLPL/Brighton Developments, the applicants for 22/01817/OUT (north-west parcel) and Nema the applicants for 24/01268/OUT (south-west parcel), plan to address them in the discharge of condition application following outline approval.

- 7.48** As a result, the LPA requested that the developers work together to produce a Tier 1 design code. This Tier 1 design code focuses on overarching aspirational principles, building upon the Golden Valley SPD. It also addresses the relationships between each application, such as road dimensions and landscape buffers connecting 22/01817/OUT (MLPL/St Modwen) and HBD, as well as points of access between the HBD and 24/01268/OUT (Nema).
- 7.49** The Tier 1 design code however has a limited scope. Although it served as a useful design exercise during these applications, it does not carry any regulatory weight. Nonetheless, it will be used in the future to guide design teams and case officers when considering subsequent applications and design codes.
- 7.50** The Tier 2 Design Code describes the vision for the development and provides a Regulatory Plan to show how it can be achieved. This plan fixes key elements on the site like access points, green spaces, development areas and key frontages. This plan is a high-level summary of the code, capturing the key principles whilst providing flexibility for detailed design solutions to be tested or accommodate changes due to demand. The Regulatory Plan is accompanied by an Illustrative Masterplan which demonstrates how the vision could be achieved.
- 7.51** The coded elements are divided into sections (which combine the recommended headings in the National Model Design Code):
- Urban Design Principles
 - Movement and Access
 - Landscape Framework
 - Landscape Strategies
 - Landscape Key Spaces
 - Character Areas
- 7.52** The applicant has worked hard to refine the contents of the code which have been tested by the Council's consultant urban design adviser and more recently via the councils Principal Urban Designer. The code includes a good range of both high-level principles and detailed elements to ensure the code is deliverable and will produce a high-quality environment. Detailed coded items include things like parking, bins and bike stores to ensure that every day essentials are considered early in the setting out of streets, commercial buildings and dwellings.
- 7.53** Code non-compliance will only be acceptable when a rationale for breaking it can clearly demonstrate place-making benefits or that it is necessary to respond to technical aspects. Guidance elements (not fixed but represent best practice) are also provided in the code with illustrative examples.

Design Conclusions

- 7.54** The submitted Masterplan underwent a comprehensive pre-application assessment and thorough evaluation through an independent urban design peer review. This process has demonstrated the proposals resilience and confirmed it as a sound Illustrative Masterplan.
- 7.55** The proposal shows a high level of design quality. By adhering to the carefully developed coding outlined in the design code and conditions, the proposal aligns with the provisions set out within Policy SD4 and the pertinent criteria of Policy A7 from the JCS, as well as Policy D1 from the Cheltenham Plan and Golden Valley SPD.
- 7.56** In summary, the approved design code serves as an effective instrument, guaranteeing not only good design practices but also fostering the development of a successful and sustainable community. There is a strong assurance that the aspirations articulated in the

Golden Valley SPD can be effectively realised in forthcoming reserved matters applications.

Biodiversity, Ecology and Green Infrastructure

- 7.57** 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.
- 7.58** JCS Policy A7 states that iv. A comprehensive masterplan and development strategy for the Strategic Allocation [is required], set within the context of the safeguarded land at West Cheltenham, which includes c) Integrates built form and a comprehensive network of accessible green infrastructure, including local green space. The network will incorporate and protect notable natural features, including the Hatherley Brook, the Fiddlers Green Key Wildlife Site and important trees and hedgerows, and contribute to water quality enhancements.
- 7.59** NPPF paragraph 187 states planning decisions should “d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures and incorporating features which support priority or threatened species such as swifts, bats and hedgehogs;”
- 7.60** Paragraph 188 of the NPPF sets out a mitigation hierarchy in terms of retained and enhanced environmental features that can be incorporated into a development proposal.
- 7.61** NPPF paragraph 193 states when determining planning applications, local planning authorities should apply the following principles: a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused; and d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate.
- 7.62** The application details include a comprehensive ES Technical Appendix 8.1, which was updated during the course of the application to cover amendments in the biodiversity net gain following masterplan changes.
- 7.63** The site predominantly consists of species-poor grassland fields that offer limited ecological value. These are intersected by hedgerows of local importance and a seasonally wet ditch. A small, degraded orchard is located near the farmstead at the centre of the site. There are no designated nature conservation sites within or directly adjacent to the site. However, several exist in the wider landscape, including Badgeworth Site of Special Scientific Interest (SSSI), located 2.8 km to the south, and the Cotswold Beechwoods Special Area of Conservation (SAC), approximately 8.9 km to the south.
- 7.64** Given the habitats present on and around the site, comprehensive ecological surveys were conducted. These included assessments of the grassland and hedgerows, as well as targeted surveys for breeding and wintering birds, foraging, commuting and roosting bats, badgers (*Meles meles*), great crested newts (*Triturus cristatus*), and reptiles. The surveys identified locally important populations of breeding birds and foraging/commuting bats within and adjacent to the site.
- 7.65** The proposed development has been shaped through an iterative design process to retain and safeguard key habitats and species, thereby significantly reducing the potential for

adverse ecological impacts. This includes the preservation of most of the hedgerow network, the seasonally wet ditch, and the orchard. These retained habitats will be strengthened and enhanced through appropriate management to improve connectivity with surrounding habitats and support protected species.

- 7.66** Enhancement measures will include the restoration of the orchard, improvement of the hedgerow network, and the creation of a substantial natural habitat corridor along the eastern site boundary, incorporating the seasonally wet ditch and drainage features. Additional habitats such as new hedgerows, woodland, wetlands, and grassland will be established to maximise biodiversity opportunities. Further biodiversity net gains will be achieved through off-site habitat creation and enhancement.
- 7.67** Wildlife interests particularly birds, bats, and other species associated with the retained habitat corridors will be protected through sensitive construction practices. Their habitats will be further supported through initiatives such as installing bird and bat boxes, enhancing existing habitats, and creating permanent water bodies.
- 7.68** Under objective A3 of the Golden Valley SPD "Connection to nature: Development at the Golden Valley Development will enrich local ecology and biodiversity", the Golden Valley SPD mandates that new developments meet the Building with Nature benchmark. The proposed development will incorporate Building with Nature principles and aims for accreditation, along with a minimum Biodiversity Net Gain (BNG) of 10%, using on site measures and offsite compensation. Plans include creating new habitats, significant tree planting, living roofs as part of sustainable drainage, and 'stepping stone' habitats to enhance ecological connectivity.
- 7.69** Principles and details in the ES, and Shadow Habitats Regulations Assessment (explored below) will be secured via condition and s106, ensuring that details required are provided at detailed design stage.

Statutory designated sites

- 7.70** NPPF para 195 states "The presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on a habitats site (either alone or in combination with other plans or projects), unless an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site."
- 7.71** The site is not subject to any statutory ecological designations; however, it lies within the zone of influence of the Cotswolds Beechwoods Special Area of Conservation (SAC). Furthermore, studies by Natural England (NE) have indicated that the floodplain habitats at Coombe Hill Canal and Meadows, located approximately 4.2 km and 4.7 km to the northwest of the Northern and Southern Parcels, respectively, are functionally linked to the Severn Estuary Special Protection Area (SPA) and Ramsar designations.
- 7.72** Regarding the Cotswolds Beechwoods SAC, in consultation with NE, the applicant is required to provide a bespoke Suitable Alternative Natural Greenspace (SANG) solution rather than relying on the financial contributions typically offered by smaller schemes in the borough. As a result, both HBD schemes (23/01874/OUT & 23/01875/OUT) are required to deliver 20.48 hectares of SANG in total.
- 7.73** Some of the development's required provision of SANG will be provided on-site; this will total 5.09ha (as shown on plan no., EDP3132_D109) with the remainder provided off-site (see below). As a consequence, up to 265 dwellings may be occupied before the off-site SANG requirements are triggered.
- 7.74** To fully meet the SANG requirements, as mentioned, the applicants will provide an additional 13.59 hectares off-site at Hill Farm in Leckhampton. This site, owned by

Cheltenham Borough Council, has been agreed in principle with Natural England and CBC, and a cost analysis has been completed. Leckhampton Hill SANG car park will be close to the 5-kilometre radius, required by NE, and this distance has been agreed by them. This off-site SANG solution has been deemed appropriate, deliverable, and can be secured through the Section 106 agreement.

- 7.75** While the applicants explored alternative SANG options, including enhancing local walking networks, Natural England deemed these inadequate. Ultimately, a combination of on-site and off-site SANG provision was agreed upon.
- 7.76** A Shadow Habitats Regulations Assessment (HRA) was conducted on behalf of the applicant and reviewed by the LPA. Under Regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended) as competent authority the LPA is required to undertake an Appropriate Assessment of the development on the basis of its likely significant effects on the SAC as a European Site. The LPA has adopted an 'Appropriate Assessment' based on this shadow HRA, which was agreed upon by NE. In their final response, NE confirmed that the proposed SANG measures are expected to effectively prevent adverse impacts on the integrity of the European sites within the zone of influence, particularly from recreational disturbances associated with the proposed residential development. NE's advice is formally acknowledged as their representation on the appropriate assessment.
- 7.77** NE studies indicate that the floodplain habitats at Coombe Hill Canal and Meadows, located 4.2 km and 4.7 km from the development sites, are functionally linked to the Severn Estuary designations. The adopted shadow HRA concludes that while the proposed development could lead to increased recreational use at Coombe Hill Canal and Meadows, the impact is limited due to factors such as car parking capacity and ongoing management by the Gloucestershire Wildlife Trust (GWT) to reduce recreational disturbance. Regarding the potential for likely significant effects (LSE) on the Severn Estuary SPA/Ramsar from recreational disturbance, precautionary mitigation measures, including SANG provision, are proposed. The HRA, which is agreed by the LPA, concludes that the development, alone or in combination with other projects, will not have an adverse effect on the Severn Estuary SPA/Ramsar, due to the proposed SANG provision.
- 7.78** Turning to the soundness of the S106 and conditions to cover SAC mitigation, the nPPG test relates to the imposition of Grampian conditions and states that it will be unreasonable to impose a condition where there are no prospects at all of the action in question being performed. In short, 'certainty' is required in relation to the Regulation 63 test (Under Regulation 63 of the Conservation of Habitats and Species Regulations 2017), whereas 'reasonable prospect' relates to the imposition of a Grampian condition.
- 7.79** NE's advice states that permission may be granted provided it can be ascertained that the proposal would not adversely affect the integrity of the SAC. The Council's view is that a negatively worded s106 clause preventing any further occupation until the SANG mitigation is secured off site, would ensure no adverse effects on the SAC. Thus, clauses limiting to 265 occupations until the offsite SANG is created and the requirement that on site SANG being completed prior to first occupation of that relevant phase, removes all reasonable doubt of adverse effects on the SAC. The Regulation 63 test is therefore met. The reasonable prospect test is met as CBC own the off-site land and have stated a willingness to sign a S106 to bring this forward.

Habitats and Protected species

- 7.80** Protected species have been recorded both within and adjacent to the site. The presence of protected, priority, or notable wildlife species in the area is assessed through desk studies, habitat evaluations, and detailed surveys, as outlined in the applicant's Ecological Baseline Assessment 'Technical Appendix 8.1.

- 7.81** The site supports a variety of habitats suitable for nesting birds, including a network of hedgerows and areas of open grassland. To assess the breeding bird population, a comprehensive survey was conducted following standard methodologies. This involved a modified Common Bird Census (CBC) 'territory mapping' approach, comprising three site visits. One visit took place in early July 2022, with two additional visits carried out in April and May 2023, aligning with the peak of the breeding season for lowland Britain.
- 7.82** To assess the presence of wintering bird species, a separate survey was conducted, comprising three monthly visits between November 2022 and February 2023. This aimed to determine whether any notable wintering bird populations were present, particularly those associated with farmland and nearby wetland habitats, which are important for both resident species and winter migrants
- 7.83** The construction project will result in some loss and degradation of bird nesting and foraging habitats within the site boundaries. Removing breeding habitats at unsuitable times could potentially harm birds and their nests; however, compliance with wildlife protection laws is expected to mitigate this risk. Additionally, noise and activity during construction may temporarily disturb birds in nearby habitats, potentially affecting a small portion of the population, but these impacts are characterised as minor. Any removal of potential nesting habitat will be conducted outside the bird breeding season as required by a Construction Environmental Management Plan (CEMP).
- 7.84** The site supports a variety of habitats suitable for nesting birds, including a network of hedgerows and open grassland fields. As such, a comprehensive breeding bird survey was undertaken in line with standard methodologies, employing a modified Common Bird Census 'territory mapping' approach.
- 7.85** During the Extended Phase 1 Habitat Survey, six buildings within the site were identified as having potential to support roosting bats. Additionally, several habitats on-site particularly the hedgerow network were assessed as offering moderate suitability for foraging and commuting bats. In response, a series of bat surveys were carried out in accordance with best practice guidelines.
- 7.86** The applicant's Ecological Appraisal was reviewed by the Council's Ecologist (CE), who requested a suite of conditions regarding the aforementioned matters.
- 7.87** Overall, the following plans and strategies are necessary:
1. Overall Biodiversity Gain Plan and subsequent Reserved Matters (RM) Biodiversity Gain Plan to achieve the targets set within the metric.
 2. Habitat Management and Monitoring Plan (HMMP) to ensure that appropriate agencies manage the areas designated for biodiversity.
 3. Ecological Mitigation & Enhancement Strategy (EMES) to secure details of wildlife improvements, such as bat and bird boxes and hedgehog boxes.
 4. A lighting plan within each RM to prevent light pollution affecting sensitive species discussed above.
 5. A Precautionary Method of Working (PMW) plan to ensure the protection of species such as otters and birds during construction.
 6. A Construction Environmental Management Plan (CEMP) to fulfil the principles outlined in the Ecological Appraisal.

7. An updated ecological report within each RM to ensure that as time passes, each RM includes current survey information regarding species on-site.

Mitigation Licence for Great Crested Newts (GCN)

7.88 The ecological surveys have confirmed the presence of Great Crested Newts (GCN) near the site. Therefore, a mitigation license is required either from Natural England or via engagement with the Gloucestershire District Level Licensing Scheme via Nature Space if newts are found. The appropriate licence must be obtained/evidenced and a copy of this sent to Cheltenham Borough Council alongside the first Reserved Matters, which will be required as a condition on the outline.

7.89 The LPA must be satisfied of the legal tests:

- the activity must be for a certain purpose - for example, for scientific research or in the public interest
- there must be no satisfactory alternative that will cause less harm to the species
- the activity must not harm the long-term conservation status of the species - you may need to create new habitats to offset any damage

7.90 The LPA is satisfied the licence would meet these tests and as such it is acceptable to add the relevant condition requiring an Ecological Survey Report (ESR) and GCN license with each Reserved Matters application.

Biodiversity Net Gain

7.91 Cheltenham Council have a duty under the Conservation of Habitats and Species Regulations 2017 (the Habitats Regulations) and under Section 40 of the Natural Environment and Rural Communities (NERC) Act 2006, to have regard to the conservation of biodiversity in exercising its functions. This duty includes the requirement to have regard to protected species.

7.92 The application was submitted before requirements for mandatory 10% Biodiversity Net Gain (BNG) came into force in January 2024. Nevertheless, the NPPF paragraph 187 requires gain and JCS Policy SD9 requires development contribute positively to biodiversity and specifically for this allocation the Golden Valley SPD Objective A3 and C1 require the development to deliver biodiversity net gain.

7.93 The applicant is committed to delivering 10% Biodiversity Net Gain overall. The January 2026 revised BNG assessment confirms that the development will result in a net loss of 29.76% habitat units as well as a 5.33% net loss of hedgerow units. However once off-site contributions at Hill Farm, Leckhampton are taken into account, a net gain in excess of 10% will be achieved (in both habitat and hedgerow units).

7.94 The applicant has agreed to submit an Overall Biodiversity Gain Plan (OBGP) setting out the detail of how the aforementioned biodiversity net gains will be achieved in practice. Phased Biodiversity Gain Plans (PBGP) will be required with each future reserved matters application and updated versions of the biodiversity metric will be included with each of those plans.

7.95 In conclusion, the Councils' ecological advisors have been consulted on this application as well as Natural England and neither object to the application subject to the imposition of conditions.

7.96 The application is on an allocated site where the principle of development is accepted. Officers consider the ecological approach within this application protects and reinforces the existing ecological networks on the site, such that these networks would be resilient to current and future pressures. The planning condition framework also ensures that

European Protected Species and Nationally Protected Species will be protected in accordance with the law, and that the potential impacts on national and international designated sites are mitigated. As such, subject to incorporation of ecological mitigation, compensation, enhancement, and management in line with the recommendations of the submitted Ecological Assessments and ES, it is considered that the impact on ecology would be low. The embedded design measures and the additional mitigation measures have allowed the assessment to conclude that for both the construction and operational phases, that there would in regard to the EIA Regulations, be no significant effects, and indeed there are opportunities for enhancements.

7.97 It is concluded that the ecological and biodiversity impacts of the proposed development would be acceptable, and moreover the application has demonstrated compliance with Policies SD9 and A7 of the JCS as well as the Golden Valley SPD.

Landscape, Trees and Visual Impact

7.98 The NPPF sets out that planning decisions should contribute to and enhance the natural and local environment by, inter alia, recognising the intrinsic character and beauty of the countryside and the wider benefits from natural capital and ecosystem service.

7.99 JCS policy SD6 advises that all development proposals must consider the landscape and visual sensitivity of the area in which they are located or which they may affect; this is reiterated in CP policy L1. SD6 requires applications are supported by a landscape and visual assessment.

7.100 Policy INF3 of the JCS also states that the green infrastructure network of local and strategic importance will be conserved and enhanced in order to deliver a series of multi-functional, linked green corridors across the JCS area.

7.101 JCS policy A7 requires a comprehensive network of accessible green infrastructure, including local green space. The network will incorporate and protect notable natural features, including the Hatherley Brook, the Fiddlers Green Key Wildlife Site and important trees and hedgerows, and contribute to water quality enhancements. And whilst not applicable to this application as it is not on the western edge, a landscape buffer to the western boundary of the site which will provide screening between the development, and the Hayden sewage treatment works.

7.102 Objective C1 of the Golden Valley SPD requires that development must positively integrate existing landscape assets, ecology and features and use these features to inform the development of a highly connective green and blue infrastructure network for the site.

7.103 Objective C2 of the Golden Valley SPD requires that proposals should respond to views into and out of the site and react to the existing topography and strategic landscape character.

7.104 In respect of the development's wider landscape and visual impact, there will unquestionably be an impact; this is to be expected given that this largely undeveloped site is allocated for significant development in the development plan. These impacts were fully tested through the JCS. The site is within the landscape setting of the Cotswolds Natural Landscape; the Cotswold National Landscape Board agree with the conclusions of the submitted Environmental Statement, that the development will not give rise to an overall significant adverse impact on the landscape nor the scenic beauty of the national landscape and that any identified adverse impacts, including cumulative impacts, can be avoided and minimised. The reserved matters submission can address and mitigate localised landscape and visual impacts.

7.105 In summary, when the site was allocated, it established the presumption for considerable physical development within these fields. Furthermore, the Golden Valley SPD requires

this area to be the densest element, combining a high level of residential use with substantial employment opportunities. Therefore, a dramatic change in the landscape is anticipated. The site has a sensible and connected overall GI vision, which can flow through into the Reserved Matters applications. Future Reserved Matters applications, guided by the approved design code, will ensure that landscape considerations are appropriately integrated into the scheme. The landscape and visual impacts of the proposals are thus considered acceptable. As such, the proposal is deemed to comply with policies JCS A7, SD6, SD7, SD4, Cheltenham Local Plan L1, G12, G13, D1, NPPF paragraph 135 and the Golden Valley SPD.

Trees

- 7.106** Paragraph 187 of the NPPF states that planning decisions should recognise benefits from natural capital and ecosystem services, including trees and woodland. Paragraph 193 states that when determining applications development which results in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists. Paragraph 136 also identifies trees make an important contribution to the character and quality of urban environments and can also help mitigate and adapt to climate change. *“Planning policies and decisions should ensure that new streets are tree-lined...and that existing trees are retained wherever possible. Applicants and local planning authorities should work with highways officers and tree officers to ensure that the right trees are planted in the right places, and solutions are found that are compatible with highways standards and the needs of different users.”*
- 7.107** Objective C6 of the Golden Valley SPD requires that development should promote and deliver a strategy for new tree planting and retention of existing trees. JCS Policy INF3 states that development proposals that will have an impact on woodlands, hedges and trees need to include a justification for why this impact cannot be avoided and should incorporate measures acceptable to the LPA to mitigate losses.
- 7.108** Policy GI3 of the CP states that development which would cause damage to trees of high value will not be permitted and developments may be required to retain existing trees, plant new trees and ensure adequate measures are in place to ensure the protection of trees during construction works.
- 7.109** An arboricultural impact assessment (AIA) has been submitted with the application together with a variety of supporting information. The assessment identifies the presence of 62 trees, groups of trees or hedgerows across the application site; none of these are identified as ancient or veteran specimens nor are any of these trees subject to a Tree Preservation Order (TPO). 17 of the on-site trees are assessed as being of moderate arboricultural quality (Category B); 34 trees are of low arboricultural quality (Category C) and 11 trees are of poor arboricultural quality (Category U). The majority of the trees sit within the external boundaries of the site with some close to the original farmstead as well as within internal field boundaries. There is a small, degraded orchard in the centre of the site adjacent to the farmstead.
- 7.110** 40 trees are to be removed to facilitate the development; 8 of the trees to be removed are of moderate quality (Cat B); 24 are of low quality (Cat C) and 8 of poor quality (Cat U); no Category A trees are to be removed. All retained trees are to be protected throughout the construction phase, and this will be secured by condition.
- 7.111** The replacement tree strategy involves the planting of some 601 new trees across the site which will amount to a 15% canopy cover. Tree planting will occur in a variety of locations across the development including within public open spaces, parks, the nature reserve/SuD area and within the streets themselves as well as within individual plots. The aforementioned remnant orchard will also be retained and enhanced through additional planting. The submission meets with the approval of the Council’s Trees Officer.

7.112 On [24th February 2026](#), Cabinet approved the Cheltenham Tree Strategy, which is a material consideration. Albeit, this Strategy has been approved at the latter stage of considering this application, the principles of this strategy are addressed by the technical reports supporting this application

7.113 In summary, following supplementary information from the application, the TO believes the proposed removal and retention is acceptable. The implementation of the landscaping scheme, tree protection, and tree management can be ensured through conditions. All relevant tree-related conditions have been attached accordingly. The proposal is considered to accord with the NPPF, Golden Valley SPD, JCS policy INF3 CP policy G13 and the recently approved Cheltenham Tree Strategy.

Impact on Neighbouring Amenity

7.114 Paragraph 124 of the NPPF states that planning policies and decisions should support development that makes efficient use of land. Similarly, JCS Policy SD10 states that residential development should seek to achieve the maximum density compatible with good design and local amenity. Policy SD4 states that new development should respond positively to, and respect the character of, the site and its surroundings. It should be of a scale, type, density, and materials appropriate to the site and its setting. Golden Valley SPD objective B4 requires higher densities and a range of dwelling typologies.

7.115 NPPF paragraph 135(f) requires that decisions create places that are safe and maintain a high standard of amenity for both existing and future users. Policy SL1 of the Cheltenham Plan states that “development will only be permitted if it does not cause unacceptable harm to the amenity of neighbouring land users or the locality. In assessing the impact on amenity, the Council will consider various factors, including, but not limited to, loss of privacy, light, and outlook.” This policy aligns with the adopted JCS policy SD14.

7.116 The existing residential properties and their occupants, most likely to be affected by this development are situated to the north, beyond Old Gloucester Road, and to the immediate east within the adjoining housing estate (principally the various cul-de-sacs connected to Harry Yates Way and those connected to Solway Road. Also likely to be impacted are a small number of detached properties in Hope Orchard which adjoin the site’s eastern boundary.

7.117 The illustrative masterplan shows a substantial area of parkland along the eastern boundary of the development in the form of public open space, SuDS and strategic landscaping. This strip of landscaped, open land measures in the region of 60m wide (with building-to-building distances greater still) and provides a significant buffer zone between the proposed residential properties and the existing properties beyond the eastern boundary; this ensures that direct impacts such as overshadowing, loss of light and overlooking from new homes is minimised.

7.118 It is noted that the illustrative master plan, and other plans, shows a footpath along the eastern boundary of the site; this path will run forward of existing properties in Hope Orchard and along the rear boundaries of existing properties in streets such as Hazeldean Road, Wheatland Drive and Gristmill Close. This arrangement has attracted some objections, but it is not considered that the proposed route(s) are incompatible with the adjacent residential properties nor too close to them as to cause unacceptable levels of noise or disturbance. Details submitted at the reserved matters stage can ensure that the impact of these pedestrian routes is adequately mitigated (appropriate boundary treatment to protect privacy for example.) The Police Crime Prevention Officer will be consulted on future Reserved Matters application(s) and residents will be able to review details through future public consultation on any application presented.

- 7.119** As mentioned earlier in the landscape section of this report, this site has been allocated for significant growth, with the Golden Valley SPD prescribing high to mid-density development for this area. It is crucial to note that this is an outline application, and the implications of the height and scale of the proposal will ultimately be examined at the Reserved Matters stage. The Reserved Matters will include full light assessments and demonstrate appropriate separation distances.
- 7.120** Overall, while it is acknowledged that existing residents will experience a significantly different character along this edge of town, officers are confident that concerns regarding neighbouring amenity can be satisfactorily addressed at the Reserved Matters stage.
- 7.121** Regarding the amenity of future residents within the development itself, the design code mandates minimum space standards, garden sizes, and separation distances, all of which will be reviewed in detail during the Reserved Matters stage. Officers believe that the illustrative masterplan, design access statement, and design code ensure that future residential amenity can be addressed appropriately at that stage.
- 7.122** Objectors have voiced concerns about traffic and noise impacts associated with the proposed development during both the construction phase and once the development is occupied. Highway safety and transport matters are discussed in detail later in this report. The construction phase will be temporary, so any noise, disturbance, and disruption during this period can only be afforded limited weight. A Construction Environmental Management Plan, which will include measures to minimize noise, dust, pollution, and manage construction traffic and deliveries, will be approved prior to the commencement of development and secured by planning condition.
- 7.123** For all the reasons outlined above, the proposals are considered to comply with paragraph 135 of the NPPF, Policy SL1 of the Cheltenham Plan, and Policy SD14 of the JCS.

Odour, Air Quality and Noise

- 7.124** Paragraph 198 of the NPPF states that planning decisions should ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. Policy SD14 of the JCS also states that new development must ensure that there are no unacceptable levels of pollution from, inter alia, air and noise.

Odour

- 7.125** Odour presents a significant constraint on the West Cheltenham allocation as a whole, primarily due to the Severn Trent sewage treatment centre located to the South-West. Severn Trent Water has proposed to undertake mitigation works to manage and minimise odour, from the sewage treatment centre, which is essential for unlocking development at West Cheltenham.
- 7.126** NPPF paragraph 187 states planning decisions should be “e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans”
- 7.127** JCS Policy A7 states “ix. A distribution of development that takes account of the proximity of the Hayden sewage treatment works and incorporates appropriate spatial planning arrangements and mitigation measures designed to minimise material impacts on residential properties and commercial premises. Development which is likely to be

significantly affected by odours will not be permitted within the Odour Monitoring Zone identified on the policies map.”

- 7.128** In terms of the northern parcel currently being considered, it mostly falls outside the odour impact zones currently affecting the site. Following the implementation of the mitigation works, the entire northern parcel should be outside any zones impacted by odour. However, it is crucial to ensure that dwellings are not occupied and impacted by smells if there are delays in the mitigation works. Consequently, a condition has been added to the outline permission stating that no more than 200 residential dwellings in this parcel may be occupied until the mitigation works at the water treatment plant have been completed and validated.
- 7.129** There is a requirement for the works to be validated to ensure that the implemented mitigation measures are indeed effective at reducing odour on-site. These mitigation measures will be carried out by Severn Trent Water, as the council is unable to acquire the ability to implement the work themselves. Therefore, this application, like others within the West Cheltenham allocation, relies on the works being conducted by Severn Trent Water for the development to proceed.
- 7.130** The test for a Grampian planning condition is whether there is a reasonable prospect of the necessary actions being completed within the time limits imposed by the permission. Severn Trent Water has indicated that they are likely to undertake the works between 2027 and 2028.
- 7.131** A Grampian condition is required regarding the occupancy of residential units. For the MLPL/ Brighton STM Developments and HBD Northern Parcel applications some occupations can occur as there are dwellings outside of the 2.5 Isopleth odour zone. However, the proposed location for the primary school falls within the isopleths of the odour zone. The S106s for HBD Northern Parcel and MLPL/ Brighton STM Developments application site will require release of the primary school site to GCC at 400 occupations on the whole site. Therefore, to ensure that the site for the primary school is free from any odour when the trigger threshold of 400 occupations is reached Grampian conditions must be used. For HBD Northern Parcel and MLPL/Brighton STM Developments application site this means only 400 occupations (200 for each application) can occur before the odour works have been completed.
- 7.132** By ensuring that the necessary mitigation measures are implemented before reaching the 400-occupation mark for the whole site, the LPA can ensure that the school building will not be affected by odour pollution when it is constructed. Additionally, by no residential units being occupied in the southern portion of the site (i.e. within the 2.5 Isopleth odour zone) this ensures the area's most vulnerable to odour are protected.
- 7.133** It is also important to note that Severn Trent Water is the landowner for the Brighton STM Developments planning application (22/01817/OUT) with the land falling within Midlands Land Portfolio Ltd., which is also part of the West Cheltenham allocation. Therefore, it is in Severn Trent Water's interest to implement these works, as they will facilitate the MLPL/ Brighton STM Developments application in the West Cheltenham strategic allocation.
- 7.134** While there is a risk that these mitigation works may never occur, it is understood that a portion of these works are regulatory via OFWAT (water services regulation authority) related to the Industrial Emissions Directive and therefore legally required. This provides some assurance that they will be carried out. Coupled with the fact that they are the landowner of an adjacent planning application within the West Cheltenham allocation, officers are satisfied that it is highly likely the mitigation works will be completed within the time limits set by the permission.

Air Quality

- 7.135** Whilst the site is not located within an air quality management zone, in accordance with the Golden Valley SPD, the proposed development considers off-site effects from traffic accessing and egressing the site to ensure that air quality for new and existing residents remains within acceptable levels. The ES assesses air quality and demonstrates that in line with the Golden Valley SPD and JCS Policy SD14, the residual effects on human health arising from operation phase emissions are negligible, with best practice mitigation proposed to manage temporary dust formation during construction. The Environmental health officer was content with the contents of the environmental statement regarding air quality, and they have recommended a suite of conditions that have been added to this permission to safeguard the amenities of future residents.
- 7.136** The mitigation of construction phase pollutant and dust emissions will be addressed by the provision of a Construction Environmental Management Plan (CEMP), which will need to be agreed with the LPA. It is anticipated that nearby construction sites will adopt appropriate mitigation measures to limit emissions of dust and ensure that plans are co-ordinated to minimise impacts upon the most sensitive receptors. With these measures in place, the cumulative effects of construction activities are anticipated to be not significant.

Noise

- 7.137** With respect to the potential effects of noise and vibration resulting from the application, the main relevant elements are considered to be the construction works, including the associated construction traffic, changes in road traffic noise when the project is operational, and noise from any operational fixed plant and deliveries and servicing activities. A baseline noise survey was undertaken between the end of September to the middle of October 2022 at locations selected primarily to be representative of the closest noise-sensitive receptors, covering the adjacent residential areas. The ES concluded sensitive receptors selected for this assessment comprise a sample of those closest to the application site. Their proximity means that, in general, effects at other locations further from the relevant sources of noise and/or vibration would be no greater, and in most cases lower than those that have been considered.
- 7.138** Construction noise from on-site works has been predicted and assessed based on the worst-case assumptions for demolition noise. A Construction Environmental Management Plan (CEMP) and adoption of Best Practicable Means (BPM) will ensure contractor noise and dust is managed. The contractor will be responsible for implementing the mitigation measures identified in the CEMP.
- 7.139** Regarding construction vibration, no significant adverse effects have been identified, although some adverse effects could occur when the minimum distance between the works and the receptor is below 45 m. These adverse effects will be managed through the measures identified in the CEMP.
- 7.140** Construction road traffic noise has been predicted and assessed based on the likely peak volume of construction traffic; the highest change in noise level anticipated to occur is considered negligible. Therefore, no adverse or significant adverse effects are anticipated from construction traffic, as advised in the ES and the Councils Environmental Health Officer is satisfied conditions provide the level of scrutiny to mitigate any harms.
- 7.141** Once built out, road traffic noise has been predicted and assessed based on the site being completed and fully operational, with the result indicating minor adverse effects which are not significant on three road links: Marsland Road, Fiddler's Green Road and Telstar Way. For all other links operational traffic noise would have a negligible non-significant effect.

7.142 Target noise levels have been defined for fixed plant installations and deliveries & servicing noise that will form part of the commercial areas. Reserved Matters for these buildings will provide sufficient detail to ensure noise is minimised.

7.143 Overall, the ES concluded no significant residual effects have been identified, there will however be some temporary adverse effects arising from construction noise and vibration. As already noted, the Environmental Health Officer raises no objection and has recommended a suite of conditions to safeguard residential amenity of existing and future residents.

Sustainability

7.144 NPPF para 163 states that the need to mitigate and adapt to climate change should also be considered in preparing and assessing planning applications, taking into account the full range of potential climate change impacts.

7.145 In addition, NPPF para 166 states that in determining planning applications, local planning authorities should expect new development to: a) comply with any development plan policies on local requirements for decentralised energy supply unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that this is not feasible or viable; and

7.146 Policy SD3 of the JCS requires all new development to be designed to contribute to the aims of sustainability by increasing energy efficiency and minimising waste and air pollution. Development proposals are also required to be adaptable to climate change in respect of the design, layout, siting, orientation and function of buildings. Similarly, Policy INF5 of the JCS sets out that proposals for the generation of energy from renewable resources or low carbon energy development will be supported.

7.147 The Cheltenham Climate Change SPD (adopted June 2022), sets out a strategy for decarbonising buildings over the next decade. For residential development there is an opportunity to improve the environmental performance of buildings through the inclusion of technologies and features such as photovoltaics, heat recovery, permeable (or minimal) hard surfaces, fabric first design approach, insulation renewable and appropriately sourced materials and alternative heating systems (heat pump).

7.148 Objective A of the Golden Valley SPD 'Embracing the highest standards of environmental sustainability' provides further guidance for tackling climate change in a West Cheltenham context. The Golden Valley SPD states new development at the Golden Valley Development will be net carbon zero (or better) and an exemplar in water and energy conservation and waste management, employing the highest standards of environmental sustainability.

7.149 In accordance with the Cheltenham Climate Change SPD, the Golden Valley SPD, and JCS Policies SD3 and INF5, the proposal seeks to support the move to a low carbon future by reducing energy demands (through efficient building design) and implementing renewable technologies throughout the site (such as solar PV and heat pumps) where feasible.

7.150 A Sustainability Statement was initially submitted in 2023. Throughout the application process, officers collaborated with the applicant to review and enhance the environmental standards. The applicant completed the climate change SPD checklist, which can be reviewed to show a detailed breakdown of the metrics from the Climate Change SPD.

7.151 The applicant now proposes a development that exceeds national standards, with a focus on achieving high environmental performance. The energy and sustainability statement includes commitments to both operational energy and embodied carbon reduction, aiming to meet RIBA 2025 performance targets immediately and RIBA 2030 targets by 2030. The

RIBA 2030 targets will be required for RM applications unless the applicant can prove the enhanced specifications would make the project unviable. This commitment aligns with the RIBA 2030 Climate Challenge, which sets ambitious, voluntary targets for net-zero buildings by 2050, ensuring progressive, viable design standards.

7.152 Key commitments as set out in the applicant's Sustainability Statement (dated June 2025) are as follows (high level summary):

- *Energy efficiency* - Use passive design measures to maximise opportunities for natural solar gain and natural ventilation; and minimise overheating risk; Minimise Energy Use Intensity (EUI).
- *Low carbon heat* - All electric buildings using low carbon heating technologies such as heat pumps. Maximise opportunities for renewable energy such as solar PV generation. Incorporate smart technologies such as smart meters and electric car chargers
- *Potable water* - Exceed the minimum building regulations to reduce water consumption.
- *Transport and travel* - Aim to maximise opportunities for homeworking. All plots to have gigabit internet connections. Maximise connections for cycling, walking, public transport and micro-mobility. Maximise active charging infrastructure with future charging. Demands safeguarded through passive installation of charging infrastructure. Enable sustainable travel choices within and beyond the site.
- *Prevention of flooding* - Avoid vulnerable uses in areas at risk of flooding. Introduce nature-based solutions and methods of sustainable drainage to reduce flood risk onsite and elsewhere Reduce surface water runoff.
- *Ecology and biodiversity* - Achieve net gains in biodiversity. Incorporate Building with Nature principles into designs.
- *Embodied carbon* - Minimise upfront embodied carbon (A1-A5); and monitor progress against targets. This applies to the building only.
- *Waste* - Apply circular economy principles to the sourcing of materials and how they can be reused. Provide adequate spaces for waste recycling and storage. Divert construction waste from landfill.

7.153 As the application is at outline stage a condition will ensure all reserved matters adhere to the standards set out in the sustainability statement.

Waste Management

7.154 In accordance with the Cheltenham Climate Change SPD, the Sustainability Statement also demonstrates how the principles of the circular economy and whole life-cycle carbon will be embedded into the development at all scales moving forward, including the minimisation of embodied carbon and prioritising the reuse and recycling of materials (see also the Site and Operational Waste Management Plans).

Water Resource

7.155 In accordance with the Golden Valley SPD, the Proposed Development seeks to achieve water conservation and include sustainable drainage measures, attenuation areas and technologies (such as low flow fittings, rainwater/greywater use, and hot water tank restrictions) to reduce water consumption significantly to 110 l/p/d or less (i.e., 75 l/p/d for domestic buildings and 13 l/p/d for nondomestic buildings).

7.156 Overall, officers are now confident that the subsequent reserved matters, following the outline approval, will incorporate appropriate climate change mitigation measures. Whilst

not meeting all the considerable targets of the Golden Valley SPD and Climate Change SPD, officers have utilised the SPDs effectively to seek considerable enhancements to the sustainability and low carbon approach to developing Golden Valley.

Drainage and Flood Risk

- 7.157** The application has been assessed in accordance with JCS Policies INF2 and A7, as well as Section 14 of the NPPF, specifically paragraphs 180 and 181. These outline that local planning authorities should ensure that flood risk is not increased elsewhere when determining planning applications. Additionally, applications should be supported by a site-specific flood risk assessment where appropriate and built form should only be placed in the lowest risk areas.
- 7.158** In line with the Golden Valley SPD, the proposed development aims to achieve water conservation and includes sustainable drainage measures, attenuation areas, and technologies. This includes features such as low-flow fittings, rainwater and greywater reuse, and restrictions on hot water tank usage, all designed to significantly reduce water consumption to 110 litres per person per day or less (i.e., 75 l/p/d for domestic buildings and 13 l/p/d for nondomestic buildings).
- 7.159** The Golden Valley SPD aims to minimise flooding risks through sustainable drainage measures, including the provision of street trees, landscape verges (including swales), and the use of permeable surfaces. While the detailed design of the drainage systems will be finalised at the Reserved Matters stage, sustainable drainage measures, including SuDS, attenuation, blue-green infrastructure, and planting, are proposed throughout the site, in line with the submitted design code. As outlined in the proposed Landscaping Strategy within the Design and Access Statement, a generous network of open spaces will be provided across the site to help manage surface water.
- 7.160** Objective A2 of the Golden Valley SPD requires new developments to be resilient against flooding, while Objective C5 mandates the use of Sustainable Drainage Systems (SuDS). Most of the site is located within Flood Risk Zone 1, with a small section in the north in Flood Zone 3. Following revised Environment Agency (EA) mapping this area has had to be addressed by the applicant.
- 7.161** Although the site includes areas in Flood Zones 2 (concentrated within the public open space on the eastern part of the site), the site has been allocated in the development plan through a sequential test process. In such cases, paragraph 180 of the NPPF confirms that applicants do not need to apply the sequential test again.
- 7.162** Paragraph 180 of the NPPF states: "However, the exception test may need to be reapplied if relevant aspects of the proposal had not been considered when the test was applied at the plan-making stage, or if more recent information about existing or potential flood risk should be taken into account." A new Flood Zone 3 has been introduced by the recent EA flood mapping.
- 7.163** The application as originally submitted, and as stated, proposed a new highway access to the north-east of the site; this was situated within the identified flood plain; the relocation of the access further to the west (January 2026 revisions) has resolved this issue as it is now sited outside of a flood risk zone. The January 2026 revisions also relocate the SuDS attenuation basins further to the south, removing them from the land now categorised as Flood Zone 3 (high risk); an updated Drainage Strategy has also been submitted reflecting changes to the Environment Agency's flood risk mapping.
- 7.164** The Environment Agency now raise no objection to the application and are satisfied that the aforementioned revisions to the scheme address their previously expressed concerns. A condition is recommended requiring the submission (and the council's approval) of a detailed flood risk analysis with each phase of the development (in practice this will be

with each reserved matters submission). A condition is also suggested restricting storage or the raising of ground levels within any areas liable to flood. The Local Lead Flood Authority (GCC) and the CBC drainage officer also now raise no objection to the development, albeit with additional conditions suggested.

7.165 Overall, it is concluded that the proposal complies with policy and guidance with respect to flood risk, surface water drainage, and the water environment. It is concluded that the flood risk and drainage impacts of the proposed development would be acceptable, and moreover the application has demonstrated compliance with policies within the NPPF, INF2 and A7 of the JCS.

Highway considerations

7.166 Paragraph 109 of the NPPF states that transport issues should be considered from the earliest stages of development proposals, using a vision-led approach to identify transport solutions that deliver well-designed, sustainable and popular places. This should involve, inter alia, understanding and addressing the potential impacts of development on transport networks, and identifying and pursuing opportunities to promote walking, cycling and public transport use.

7.167 Paragraph 115 of the NPPF states that in assessing development proposals it should be ensured that, inter alia, sustainable transport modes are prioritised taking account of the vision for the site, the type of development and its location; and that, any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree through a vision-led approach.

7.168 Paragraph 116 of the NPPF confirms that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios.

7.169 Policy INF1 of the JCS requires that developers should provide safe and accessible connections to the transport network to enable travel choice for residents and commuters. Criterion 2 of Policy INF1 states that where severe impacts that are attributable to the development are considered likely, including as a consequence of cumulative impacts, they must be mitigated to the satisfaction of the LPA in consultation with the Highway Authorities and in line with the Local Transport Plan.

7.170 Policy A7 of the JCS also states the scheme will include measures necessary to mitigate the traffic impact of the site, including the use of travel plans to encourage the use of sustainable transport modes; High quality public transport facilities and connections within and adjacent to the site. Safe, easy and convenient pedestrian and cycle links within the site, to key centres and with neighbouring existing development.

7.171 Objective A5. Of the Golden Valley SPD states the Golden Valley Development will be an integrated and fully connected extension of West Cheltenham. And Objective D: An integrated and connected extension of West Cheltenham requires:

- The design and delivery of new development will prioritise and support active and sustainable travel patterns and behaviour – public transport.
- Deliver new direct pedestrian and cycle connections to existing communities and facilities.
- Creation of an open network of streets and routes which can be managed to meet local needs.
- Principal junctions should be designed to minimise land take and create safe and direct crossing points for pedestrians and cycles.

- Provision of safe routes to schools, which will be provided within or beyond the West Cheltenham site.
- A flexible and creative approach to the application of parking standards and emerging and new vehicle technologies and initiatives.

Means of Access

7.172 Whilst the application is submitted in outline, the application seeks approval for main vehicular accesses and egresses into the site from Old Gloucester Road and also provides approximate locations of emergency access points, public transport access points, as well as car, pedestrian and cycle access points into the development and adjoining parcels.

7.173 The main vehicular access to the site is to be via a compact three-arm roundabout to the B4634 Old Gloucester Road, in the north-western corner of the site; the road will be realigned to facilitate this. The highway works associated with this new roundabout include shared routes along Old Gloucester Road, an uncontrolled crossing over Old Gloucester Road and landscaping. As has been stated, the proposed roundabout and associated work was introduced within the January 2026 revisions to the scheme in order to address concerns raised by GCC Highways in respect of the previously proposed priority junction arrangement. There has been extensive engagement between the applicant and LHA on transport matters.

7.174 The access arrangements that are now proposed meet with the approval of GCC Highways subject to conditions. GCC Highways acknowledge that a Stage 1 Road Safety Audit has been undertaken; this is largely supportive of the scheme albeit it identifies some minor issues which can be resolved at the detailed design stage.

Other accesses

7.175 In respect to other accesses the HBD101 3503 REVA PARAMETERS PLAN received 26th January 2026 shows the indicative locations of these, and full details will be secured as part of future reserved matters.

7.176 The collaboration documents, the Pedestrian and Cycle Connectivity Plan and the Road Connections Plans, have been included in the approved plans condition for this application. This addition ensures that the access points align with the development parcels to the west and north of this site. There was significant discussion regarding the width of the access route reserved to serve the land to the west. Additionally, a cycle route is shown in the west and pedestrian routes along the eastern edge.

Local Highway Network

7.177 During the determination of the application there have been extensive discussions between the applicants and the LHA and Active Travel England on a package of measures to mitigate the impact of the development on the Local Highway Network and encourage active travel.

7.178 These works have been agreed with the LHA, and the principal works are as follows:

- 205369-PD29 Rev I – Pilgrove Way and Grist Mill Close Improvements
- 205369-PD29.3 Rev I – Old Gloucester Road Pedestrian/Cycle Route (Viewport 2)
- 205369-PD29.4 Rev E – Old Gloucester Road Pedestrian/Cycle Route
- 205369-PD29.6 Rev B – Oldbury Road/ Princess Elizabeth Way Crossing
- 205369-PD29.7 Rev B – Hesters Way/ Princess Elizabeth Way Crossing
- 205369-PD31 Rev B – Hope Orchard Improvements 21185-009-P9 – Springbank Area Active Travel Measures (Site to Springbank Road and Ettington Close to Hesters Way Road)

7.179 The LHA has been consulted on the application and have considered all of these mitigation measures and consider that they are acceptable and would assist in mitigating the highways impact of the development and encourage active travel.

Public Transport

7.180 The bus strategy for the Northern parcel is broadly unchanged from the original technical assessment. Full details are provided in Technical Note N25 at Appendix B.

7.181 Within Technical Note N25, details of the costs associated with the delivery of these upgrades are provided. In addition to this, a suggested apportionment of costs is provided to those elements of the Golden Valley allocation that will benefit from these upgrades.

7.182 The LHA initially requested £1,214,900.00 towards future bus services. However, the applicant directly engaged with the bus service providers (Pulham's and Stagecoach) early in the application as the LHA did not engage until late in the application on bus sums. The applicant was quoted, by the bus service providers, £620,000 for their portion of the bus contribution. This amount is considered substantial to provide an initial bus service in the early stages of the development. As such, **£620,000** is being sought. Later in this report the viability balance is discussed regarding S106 asks.

7.183 The contribution to the bus services ensures that credible travel choices are provided for future occupiers by sustainable modes in accordance with the provisions of the NPPF and policies INF1, SA1 and A7 of the JCS.

Monitor and manage & travel plans

7.184 In accordance with the requirements of paragraph 118 of the NPPF and Policy A7 of the JCS, a Framework Travel Plan (FTP) has been submitted in support of the application. The FTP sets out a strategy for reducing car travel for users of the development for residential and commercial. The FTP is intended to book-end the vision-led transport strategy for the site. To this end, it includes a summary of embedded and off-site active travel infrastructure, soft travel plan measures (i.e. promotional material, vouchers, etc.) and the bus strategy to influence modal shift. It also includes details related to off-site mitigation that would be implemented in the event commercial vehicle trips exceed the forecasted number of vehicles.

7.185 The LHA have advised that these measures should be expanded on post determination of the planning application and detailed Travel Plans should be provided for the residential and commercial of the development and measures should be incorporated including the providing free buses for a trial period, provision of fully funded car clubs, establishments of walking and cycling groups, and promotion of car sharing.

7.186 The LHA have recommended that planning conditions are imposed on the application to secure these detailed Travel Plans prior to the occupation of the residential and school elements of the development, and have requested the following planning obligations:

- Travel Plan Monitoring Fees - **£10,000**, residential only as the commercial is not of a sufficient size.
- Residential Travel Plan Deposit Contribution – **£74,085**, which would be paid back to the developer after 5 years if the LHA do not need to intervene. However, in so far as the S106 tests are concerned and given the wider viability issues, given the scheme is largely residential within standard parking ratios and unlikely to cause parking displacement elsewhere. The deposit is not considered to meet the S106 tests,

7.187 It is considered that these contributions meet the s106 tests insofar as they are directly related to the development, and fairly and reasonably related in scale and kind. They are also necessary and the most appropriate mechanism to extend and modify existing public transport networks and ensure that credible travel choices are provided for future occupiers by sustainable modes in accordance with the provisions of the NPPF and policies INF1, SA1 and A4 of the JCS.

Traffic Regulation Orders

7.188 The LHA has requested **£45,000** towards TROs be added to heads of terms for the S106. However, the LPA has allocated £30,000 towards TROs. It is considered that this contribution meets the S106 tests insofar as they are directly related to the development, and fairly and reasonably related in scale and kind. £45,000 is considered disproportionate given the residential nature of the scheme where there is little space for overspill parking the surrounding streets. They are also necessary and the most appropriate mechanism to ensure the surrounding roads are not impacted and people are encouraged to use sustainable modes in accordance with the provisions of the NPPF and policies INF1 and SA1 of the JCS.

7.189 It is considered that this contribution meets the S106 tests insofar as they are directly related to the development, and fairly and reasonably related in scale and kind. They are also necessary and the most appropriate mechanism to ensure the surrounding roads are not impacted and people are encouraged to use sustainable modes in accordance with the provisions of the NPPF and policies INF1 and SA1 of the JCS.

Strategic Highway Network

7.190 National Highways and the LHA have stated that the proposal, which results in a net increase in residential units and commercial floorspace, requires a financial contribution for improvements to Junction 10 of the M5 motorway.

7.191 The Section 106 tests state the following requirements:

- A. The obligation must be necessary to make the development acceptable in planning terms.
- B. It must be directly related to the development.
- C. It must be fairly and reasonably related in scale and kind to the development.

7.192 As already noted, the test for refusing on highway grounds is set out within paragraph 116 of the NPPF, "Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or if the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios."

7.193 Additionally, INF1 of the JCS states, "Planning permission will be granted only where the impact of development is not considered to be severe. Where severe impacts attributable to the development are likely, including those resulting from cumulative impacts, they must be mitigated to the satisfaction of the LPA in consultation with the Highway Authorities and in line with the Local Transport Plan." This requirement to have regard to cumulative impact is reiterated in INF6 and INF7 of the JCS.

7.194 M5 J10 is critical to transport operations on the M5 motorway and the locality and is a project that Cheltenham Borough Council supports and has been actively working collaboratively with Gloucestershire County Council from the bid writing stage to the present day. The current junction arrangement provides for traffic movements to/from the north only, and the southbound off slip is susceptible to queuing which blocks back onto the mainline during the AM peak period to the detriment of highway safety.

7.195 M5 J10 has been identified for improvement to an 'all movements' layout with a grade separated roundabout constructed over the mainline carriageway. The proposal also includes a new West Cheltenham Link Road south of the A4019 to join with the B4634 to the south and A4019 ancillary works. The scheme was promoted by Gloucestershire County Council and completed the Development Consent Order (DCO) examination in 2024. The Secretary of State Decision consented the J10 scheme in June 2025.

7.196 The principal components of the M5 J10 improvement scheme is as follows:

- Construction of a new Junction 10 on the M5, including four new slip roads, and demolition of the existing A4019 bridge and construction of a new roundabout over the M5.
- Realignment and widening of the A4019 with associated footway, shared use paths, private means of access. This includes a bus lane on the A4019 eastbound carriageway from the West Cheltenham Fire Station to the Gallagher Junction.
- Construction of a new West Cheltenham Link Road south of the A4019 to join with the B4634 to the south.

7.197 The proposed M5 Junction 10 scheme will not only mitigate traffic impacts of development on the Strategic Road Network. In addition to this, the A4019 ancillary works enable a significant amount of strategic traffic currently directed to M5 Junction 11, via the A40, Princess Elizabeth Way, Old Gloucester Road, Gloucester Road and from north Cheltenham to utilise the new all movements Junction 10 layout. This redistribution significantly reduces traffic on these local roads and benefits the wider network.

7.198 National Highways and the LHA state that the implementation of the Junction 10 upgrade will release the capacity to support the JCS growth.

7.199 The LHA is seeking **£2,003,028** to improve junction 10, which is considered to meet the tests and is supported by the LPA.

7.200 It should also be noted that the Community Infrastructure Levy Joint Committee has made a substantial commitment to M5 J10.

- An award of up to £10m to the M5 Junction was made on 4th March 2025.
- On 25th September 2025, it was agreed that future CIL income be ringfenced to support the delivery of M5 Junction 10 scheme up to a maximum of £20m (in addition to the £10m previously awarded).

7.201 These awards were made on the basis that The M5 Junction 10 Improvements Scheme represents a critical infrastructure investment for Gloucestershire, enabling transformational growth across the region. It is fundamental to enhanced accessibility, connectivity and unlocking strategic sites in the approved Gloucester, Cheltenham and Tewkesbury JCS and its wider growth, including the Elms Park development and the wider West Cheltenham and Golden Valley development including its ambitious National Innovation Centre and is aligned with core government policy objectives. The release of funding is managed by the CIL Joint Committee with specific allocations of any such sums brought back to the Joint Committee for consideration; together with regular monitoring reported to the Joint Committee

Highways Impact and Grampian Apportionment

7.202 The M5 Junction 10 upgrade scheme is well developed, with an examination undertaken during summer 2024 and the Secretary of States (SoS) decision received on 5th June 2025. The then SoS in her decision letter has echoed the examiners' view and concludes that "the Proposed Development aligns with paragraph 2.23 of the NPSNN which states that Government's wider policy is to bring forward improvements to the existing Strategic Road Network through the delivery of enhancements of the type proposed by the

Applicant. The Secretary of State agrees with the examiner that the Proposed Development will create additional capacity which will support the aspirations of local policy allowing for future much needed housing and employment development [ER 3.2.90].”

7.203 It is agreed that the implementation of the Junction 10 upgrade will release the capacity to support the JCS growth as a whole as set out in the supporting JCS Transport Strategy. In advance of the build out of M5 J10 there has been extensive transport modelling undertaken by the developers of the strategic allocations, National Highways and Gloucestershire County Council to understand the capacity that could be accommodated on the network in advance of the delivery of the Junction upgrade.

7.204 Assessment by National Highways is that a total of **5,474** new homes could be accommodated before there was severe impact on the strategic road network (SRN). However, the modelling that supports this indicates that whilst this level could be appropriate for the strategic road network, impacts are passed onto the local highway network (LHN). To understand this impact further Gloucestershire County Council has undertaken further transport modelling which has led to a capacity figure of **1,711** new homes that could be accommodated on the local road network.

7.205 Therefore, the assessments conclude that a Grampian condition is required should all West Cheltenham planning applications be approved, limiting development levels within the context of the highway capacity identified.

7.206 It is for the LPA to consider the Grampian as decision taker. The LPAs view is that an approach is needed to steer the consideration of apportionment in order to provide transparency in consideration of all the live planning applications and in the context of the JCS and wider material considerations. This approach has been reached collaboratively with Tewkesbury Borough Council. The table below is the list of applications the LPA is applying the Grampian condition to.

Site	App ref
NW Cheltenham (Home Farm)	23/00354/OUT
NW Cheltenham (Elms Park)	16/02000/OUT
West Cheltenham (HBD Southern parcel)	23/01875/OUT
West Cheltenham (HBD Northern parcel)	23/01874/OUT
West Cheltenham 1,100 (Brighton STM Developments)	22/01817/OUT (Cheltenham BC reference) 22/01107/OUT (Tewkesbury BC reference)
West Cheltenham 365 (Nema)	24/01268/OUT

7.207 The LPAs assume that wider development within the authorities will be dealt with separately in recognition of the strategic importance of the JCS allocations and the priority of Government for delivery of new homes and jobs. Gloucestershire County Council as LHA will need to consider the implications of this, particularly in relation to their funding methodology seeking to address the shortfall in funding for the M5 Junction 10 scheme.

7.208 Having undertaken extensive review, the LPAs will split the Grampian based on the below table. The key considerations have included:

- Maximising the delivery of new homes through multiple residential sale outlets across the strategic allocations to support shorter term delivery and future supply to support Cheltenham’s 5-year housing land supply position.
- Enable choice to the market through the different housing types, sizes and tenures that would be brought to the market.

- Link to triggers that enable key community infrastructure to be developed in line with new homes.
- Recognising the local, regional and UK importance of the delivery of the Innovation Centre to support the cyber and digital tech ecosystem in the context of economic growth and deliver against the National Cyber Strategy (2022).

7.209 In the context of West Cheltenham, this strategy allows developments to commence while ensuring a proportionate number of dwellings are available prior to Junction 10, supporting the opportunity to maximise outputs to support the 5- year housing land supply alongside maximising the range of housing types, sizes and tenures. It provides for a significant amount of commercial floor space to be created in the West Cheltenham allocation.

SITE	APP REF	RESI	CLASS E	% RESI	GRAMPIAN 1 LHN		GRAMP 2 SRN	
					RESI LHA	CLASS E LHA	RESI NH	CLASS E NH
NW Elms Park	16/02000/OUT	3,849	49,150	60.8	1040	7,261	3327.00	43,400
WC St Modwens	22/01817/OUT(CBC) 22/01107/OUT (Tewks)	1,100	1300	17.4	297	500	951	1300
WC HBD NORTH	23/01874/OUT	443	500	7	120*	500	382	500
WC HBD SOUTH	23/01875/OUT	576	92,985	9.1	156*	25,009	497	43,400
WC NEMA	24/01268/OUT	365	43,785	5.8	99	25,009	317	43,400
Total		6,333	187,720	100	1,711	58,279	5,474	132,000

* The HBD/CBC applicants requested 80 units be moved from 23/01875/OUT to 23/01874/OUT, their other application on the allocation. The LPA has taken the view this acceptable as such the south will have a limit of 76 and the North (23/01874/OUT this application) **will have a limit of 200 for the Grampian 1 condition, which relates to letting of the contract.**

7.210 It is important to note there are two conditions to control severe impacts on both the LHN and the SRN, and there are different occupation triggers for those conditions, based on the respective consultation responses from LHA and National Highways and the statutory consultees considerations of severe impact and the tests in the NPPF.

7.211 The Grampian condition to control severe impact on the LHN is recommended by the LHA taking account of the LPA's apportionment strategy. This condition will cease to be operative once the construction contract for the works have been awarded. In January 2026, GCC announced that the M5 Junction 10 Improvements Scheme has become fully funded following the approval of an additional £71.5 million from the UK Government's Housing Infrastructure Fund, administered by Homes England. The main construction phase is scheduled to start autumn 2026 with the project expected to be completed in 2028. The condition will be closely monitored, and to support this the LPA sits on an active liaison meeting led by GCC as the scheme promoter, this will support monitoring of delivery.

7.212 The Grampian condition to control severe impact on the SRN is recommended by National Highways taking account of the LPA's apportionment strategy.

7.213 These Grampian conditions are directly supported by INF6 and INF7 of the JCS. The need for the conditions is clearly evidenced, given the conclusions by the LHA and National Highways that there will be severe impacts on the operation of the LHN and SRN if more than the specified number of dwellings and Class E floorspace is occupied before the delivery of the M5 J10 improvement scheme (and the interim scheme).

7.214 The conditions are fairly and reasonably related to the developments, specifically dealing with an identified issue arising directly from the proposals and serves the specific planning purpose of preventing unacceptable severe impacts. Such impacts relate to the character of use of the land and are clearly a planning purpose. The conditions are reasonable, precise and enforceable, meeting the tests of conditions.

Highways Conclusions

7.215 In conclusion, National Highways and the LHA have been consulted on this application and raise no objection to the application subject to the imposition of planning conditions and securing the planning obligations specified above.

7.216 It is considered, the planning obligations and conditional framework will ensure that there is no unacceptable impact on highway safety, and the residual cumulative impacts on the road network, following mitigation, would not be severe, taking into account all reasonable future scenarios.

7.217 The application meets the broad aims of the Golden Valley SPD in terms of transport and has responded to the Golden Valley SPD visions in its own way. The Golden Valley SPD was not a blueprint for development and the response taken by the applicants is considered acceptable in terms of internal road design, movement and accesses.

7.218 In addition, the application has demonstrated that sustainable transport modes are prioritised taking account of the vision for the site, the type of development and its location. It is also demonstrated that safe and suitable access to the site can be achieved for all users. Furthermore, opportunities have been taken, where appropriate, to extend and modify existing walking, cycling and public transport networks and links, to ensure that credible transport choices are provided by sustainable modes.

7.219 As such it is concluded that the impacts of the proposed development on the transport network would be acceptable, and moreover the application has demonstrated compliance with the NPPF, Golden Valley SPD and policies INF1, INF6, INF7 and A7 of the JCS.

Viability

7.220 NPPF para 59 states it is up to the applicant to demonstrate whether particular circumstances justify the need for a viability assessment at the application stage. The weight to be given to a viability assessment is a matter for the decision maker, having regard to all the circumstances in the case, including whether the plan and the viability evidence underpinning it is up to date, and any change in site circumstances since the plan was brought into force. All viability assessments, including any undertaken at the plan-making stage, should reflect the recommended approach in national planning practice guidance, including standardised inputs, and should be made publicly available.

7.221 The LPA appointed an independent cost consultant and viability consultant to review the applicant's financial viability assessments prepared by the applicant. This involved extensive check and challenge on the inputs and benchmarks used to build up the assessment.

7.222 Policy INF7 of the JCS states where, having regard to the on- and / or off-site provision of infrastructure, there is concern relating to the viability of the development, an independent viability assessment, funded by the developer and in proportion with the scale, nature and / or context of the proposal, will be required to accompany planning applications.

7.223 Policy SD12: Affordable Housing of the JCS seeks 35% housing on the strategic allocation sites. It states that if a development cannot deliver the full affordable housing requirement, a viability assessment, conforming to an agreed methodology, in accordance with Policy INF7 will be required.

- 7.224** The applicants submitted a viability assessment in 2024, which underwent an initial review by the council's independent viability assessor. There was pushback on several items, particularly concerning the benchmark land value. Through extensive discussions, the inputs for the viability assessment were agreed upon between the applicant and the LPA. Additionally, the LPA engaged an independent quantity surveyor to review the applicant's cost plan for infrastructure.
- 7.225** Following the initial review by the council's independent viability assessor and the assessment of the infrastructure costs plan, the applicant submitted a revised financial viability assessment. Given the considerable work that had gone into this, the LPA and the applicant were aligned on the assumptions. The council's independent viability expert reviewed the final financial viability assessment and confirmed their agreement with the applicants FVA results.
- 7.226** It is not uncommon for strategic sites to have lower levels of affordable housing due to significant infrastructure burdens, as is reflected in the JCS policies that sets a requirement of 35% as opposed to non-strategic sites of 40%. However, there are additional costs incurred by these sites that were not anticipated when the JCS allocated the site. Initially, the Junction 10 improvement works were a fully funded scheme, but changes now require additional funding due to increased delivery costs influenced by external factors. Furthermore, a substantial level of contributions for highways is being requested alongside the Golden Valley development being designated as a Garden Community and the requirements set by the Golden Valley SPD.
- 7.227** The suggested value for each of the Section 106 contributions has/will be discussed elsewhere in this report, particularly regarding highways, libraries, and sports facilities. It has also been noted that several obligation requests made by consultees were not included in the proposed heads of terms. A degree of prioritisation has been required by the LPA to focus on the most essential requirements to create a sustainable community. Officers have had to undertake a careful balancing exercise between providing funding for schemes, such as Junction 10, and the much-needed affordable housing in the borough. After the Section 106 prioritisation exercise and a slight adjustment in the affordable housing tenure mix (addition of first homes), the council's independent viability assessor re-evaluated the appraisals and determined that the site could now provide an increased affordable percentage based on the new Section 106 profile, which amounted to **31%**.
- 7.228** The balance between the achievable affordable housing level and that of the S106 value is therefore considered to be appropriate. Whilst disappointing that higher levels of affordable housing cannot be achieved, this is however considered to be the most appropriate balance and as such, ensures that the development is sustainable as a whole whilst at the same time making an appropriate contribution to the M5 J10 scheme.

Review Mechanism

- 7.229** In circumstances where issues relating to viability are identified by applicants and accepted by the LPAs, the LPAs would usually seek to agree that a Viability Review Mechanism is included in the S106 agreement. As viability assessments offer a viability appraisal at a snapshot in time, taking into account known viability factors at an early stage in a project, the purpose of a review mechanism is to allow for a reassessment of viability over the lifetime of the development to assess whether policy compliance can be achieved i.e. in this instance the delivery of 35% affordable housing.
- 7.230** During the consideration of this planning application, officers sought to agree with the applicants that a Viability Review Mechanism should be included in the s106 agreement. In response, the applicant's provided a Legal Opinion which considered the justification in seeking a Viability Review Mechanism, having regard to Development Plan Policy, other material considerations including guidance in National Planning Guidance, and recent appeal decisions.

7.231 The applicant's Legal Opinion concludes that our position in seeking the imposition of a Viability Review Mechanism has no basis in policy and to seek and require any S106 agreement to contain such a clause or obligation would be unlawful. The applicants have clearly stated to us that they would not accept a Viability Review Mechanism in the s106 and we have carefully considered the Legal Opinion and the applicant's position on this matter.

7.232 Paragraph 009 of PPG (revision date 9th May 2019) sets out Guidance on viability review and advises 'How should viability be reviewed during the lifetime of a project'. This Guidance advises that:

'Plans should set out circumstances where review mechanisms may be appropriate, as well as clear process and terms of engagement regarding how and when viability will be reassessed over the lifetime of the development to ensure policy compliance and optimal public benefits through economic cycles. Policy compliant means development which fully complies with up-to-date plan policies. A decision maker can give appropriate weight to emerging policies.'

7.233 Officers acknowledge that there are no policies in the adopted Development Plan which set out the circumstances where review mechanisms may be appropriate. However, it is considered by officers that the absence of a direct reference to review mechanisms in development plan policy does not preclude a determination as a matter of planning judgement that a review mechanism is necessary to make the development acceptable in planning terms. This is particularly relevant given this is part of a strategic allocation.

7.234 Paragraph 58 of the NPPF is clear the planning obligations must only be sought where they meet all of the following tests:

- (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.

7.235 It is considered that the absence of a planning policy requiring a review mechanism, does not preclude entering into a planning obligation if these legal tests are met. The requirement for a review mechanism is a planning judgement.

7.236 In the circumstances of this case, a planning judgement must be made on whether, having regard to the planning balance as a whole, including the benefits arising from the development proposals as part of the wider Strategic Allocation, whether the application should be refused due to applicants non-acceptance of a Viability Review Mechanism.

7.237 In the individual circumstances of this planning application, officers consider that there are planning reasons to accept as a matter of planning judgement, that the application should not be refused for failure to agree a Viability Review Mechanism. These reasons include: The inter-relationship with this application site and other planning applications/permissions within the wider Strategic Allocation. If this planning application were to be refused solely for the failure to provide a Viability Review Mechanism, it may cause significant delay and undermine infrastructure, housing and employment land delivery the wider Strategic Allocation.

7.238 In these circumstances, instead of seeking a Viability Review Mechanism within the s106 agreement, officers consider a pragmatic alternative is to reduce the time period for submission of reserved matters

Shorter Time Limit Condition

7.239 The standard time condition for submission of reserved matters has been amended (see below) in response to the applicant's refusal to agree to a review mechanism within the

Section 106 agreement. Viability assessments represent a snapshot in time, and without a review mechanism, it is considered reasonable to reduce the time period for implementation to ensure the validity of the submitted viability assessment is maintained. Provision is made within the condition for an additional period of time (for the submission of reserved matters) in respect of the school expansion land, as whether this land is required for school expansion will not be resolved until a later date.

7.240 While the LPAs do not agree with the applicant's stance and would ordinarily seek review mechanisms where appropriate, the reduced time period for submission of reserved matters provides a pragmatic alternative. It ensures that the viability assumptions remain relevant and that the development progresses within a reasonable timeframe.

7.241 Section 91 of the Town and Country Planning Act 1990 requires planning permissions to include a condition setting a time limit for commencement typically three years, unless varied by the LPA. The nPPG allows for flexibility in this period to support delivery, and the nPPG encourages shorter timeframes for housing delivery where appropriate.

7.242 In this case, the applicant contends that the proposal will deliver a substantial number of homes within the current JCS plan period (2025–2031). The six-year limit for submitting reserved matters aligns with this timeframe and supports the delivery of housing to meet identified needs. Importantly, the condition requires submission of reserved matters within the plan period, not completion or occupation of the dwellings, allowing flexibility for buildout.

7.243 Given the Council's inability to demonstrate a five-year housing land supply, significant weight is afforded to housing delivery in the planning balance. The condition ensures that a high proportion of the proposed dwellings contribute to meeting current housing needs.

7.244 Although there are Grampian conditions affecting occupation, namely those related to odour mitigation and Junction 10 of the M5, these do not render the scheme undeliverable with the reduced timescales, in addition, as set out above, the M5 Junction 10 scheme is progressing to delivery with the expectation that key dates will be met this year positively impacting the Grampian condition proposed.

7.245 Given that the outline planning permission stipulates that all reserved matters must be submitted within six years, this would allow a further two-year period following the completion of the odour mitigation works for the submission of reserved matters. This timeframe is considered reasonable and achievable, and it remains within the control of Severn Trent Water (landowner for the adjacent application site also subject to this condition) to expedite the completion of the odour mitigation works should they choose to do so.

Affordable Housing

7.246 Paragraph 8 of the NPPF states that the planning system needs to perform a number of roles, including a social role in supporting strong, vibrant and healthy communities, by providing a supply of housing required to meet the needs of present and future generations. Paragraph 66 of the NPPF states that where major development involving the provision of housing is proposed, planning policies and decisions should expect that the mix of affordable housing required meets identified local needs, across social rent, other affordable housing for rent and affordable home ownership tenures.

7.247 Policy SD12 requires that within the Strategic Allocations a minimum of 35% affordable housing will be sought. Policy SD11 of the JCS also confirms that housing mix should meet the needs older people as set out in the local evidence base including the most up to date Strategic Housing Market Assessment.

7.248The applicants have constructively engaged with officers during the determination of the application and have provided an affordable mix which would significantly contribute towards the area's affordable housing needs.

7.249As stated above, in accordance with the requirement of Policy SD12, the applicant has agreed to provide 31% affordable housing on site. Following the outcome of the viability assessment.

7.250See below breakdown of the affordable housing mix, which will be secured via the S106. Each reserved matters will need to provide the agreed percentage of affordable, to ensure affordable housing is not left until the end.

137 homes- 31%	Social Rent	Social Supported Rented Units	Affordable Rent	Shared Ownership	Totals	%
1b2p GF Flat M4(2), 50m2	6	0	0	0	6	4%
1b2p GF Flat M4(3)(2)(b), 60m2	2	0	0	0	2	1%
1b2p FF Flat, 50m2	8	0	0	0	8	6%
1b2p maisonettes, M4(2) 50m2	4	0	0	4	8	6%
1b2p houses, M4(2) Cat 2, 50m2	0	4	0	0	4	3%
1b2p Bungalows, M4(3), 60m2	4	2	0	0	6	4%
2b3p M4(3) bungalow, 61m2	0	0	2	0	2	1%
2b4p house M4(2), 79m2	0	0	30	22	52	38%
3b5p house, 93m2, M4(2)	0	0	12	12	24	18%
3b6p house, 102m2, M4(2)	0	0	10	6	16	12%
4b7p house, 115m2, M4(2)	7	0	0	0	7	5%
5b8p house, 134m2, M4(2)	2	0	0	0	2	1%
Totals	33	6	54	44	137	100%
%	24%	4%	39%	32%		

7.251The Councils' Housing Enabling Officers have advised that this mix complies with policies SD11 and SD12, in so far as they relate to mix when considering viability, of the JCS and has due regard to local needs, community cohesion and affordability considerations. Officers consider that the provision of this amount of affordable housing, particularly the provision of social rent units and first homes, is a substantial benefit of the proposals.

Open Market Housing Mix

7.252Policy SD11 of the JCS requires all new housing development to provide an appropriate mix of dwellings sizes, types and tenures in order to contribute to mixed and balanced communities and a balanced housing market. Housing mix should be based on the most up to date evidence of local housing need and market demand.

7.253The Gloucestershire Local Housing Needs Assessment 2019 – Final Report and Summary (September 2020) (LHNA) provides the most up to date evidence based to inform the housing mix on residential applications, however this evidence base document would be updated during the build out time of the proposed development.

7.254The applicant's DAS sets out the proposals allow for a range of dwellings across the site to be delivered with varying sizes to accommodate a variety of household types. Given the proposal is in outline, it is recommended that a condition is imposed requiring the submission of a housing mix statement alongside the submission of reserved matters, secure a mix of market housing in broad accordance with the most up to date evidence of the local housing market need and market demand at the time of determination of future reserved matters.

7.255 With a development of this scale, which is submitted in outline, officers consider that the completion of a S106 is the most appropriate mechanism to deliver a balanced housing market on this site, having regard to the latest evidence base at the time of future reserved matters applications. It is therefore considered that subject to the signing of the S106 the application complies with policy SD11 of the JCS, and the conditional framework will facilitate the delivery of an appropriate mix of dwellings sizes and a balanced housing market.

Heritage and Historic Environment

7.256 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 imposes a general duty as respects listed buildings in exercise of planning functions. Section 66(1) provides: "In considering whether to grant planning permission for development which affects a listed building or its setting, the LPA or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses."

7.257 Section 72 of the act refers to the councils' need to pay special attention to the desirability of preserving or enhancing the character or appearance of and building of land in a Conservation Area in the exercise of their duties.

7.258 Paragraph 208 of the NPPF goes on to state that local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.

7.259 JCS Policy A7 states the layout and form that respects landscape character, significance and setting of the heritage assets at Hayden Farmhouse and Barn. In regard to non-designated heritage assets, Policy HE1 of the CP states that development proposals that would affect a locally important or non-designated heritage asset, including its setting, will be required to have regard to the scale of any harm or loss to the significance of the heritage asset.

7.260 There are no designated heritage assets within the application site. Hope Farm itself (20th century) as well as Hope Cottage (significantly altered, 19th century) together with the various farm buildings situated close by, are to be demolished to facilitate the development; these buildings however are neither designated nor non-designated heritage assets.

7.261 There is one scheduled monument and nine listed buildings within 1km of the site. Uckington Medieval Moated Site (Scheduled Monument no. 1016835) is situated approximately 400m to the north. It is not considered that the setting of this important heritage asset will be harmed due to the distances involved as well as the presence of intervening development (existing and proposed); there is no visual relationship between the two. Similarly, it is not considered that the setting of the 5no. listed buildings located within (and adjacent to) the Uckington moated site (Moat House, Moat Cottage, adjacent barn, lodge and bridge - all Grade II); will be harmed for the same reasons.

7.262 The remaining five listed buildings within 1km of the site comprise Uckington Farmhouse and stable/cart store (located a minimum of 850m from the site); Hayden Farmhouse and associated barn (approximately 900m from the site); and Withybridge Mill and barn (approximately 1km from the site) – all of these five buildings are listed at Grade II. There are no identified historic relationships between these buildings and the application site and again no visual, or a very limited, relationship has been identified between these assets and the site. For these reasons the proposed development will not cause harm to these

heritage assets. Neither Historic England nor the council's conservation team raise any objections to the scheme.

7.263 In respect of archaeological heritage assets, an archaeological assessment and archaeological evaluation have been submitted with the planning application, and this sets out the conclusions drawn from a range of investigations including evaluation trenching and Lidar surveys. The assessment concludes that the site has a moderate to high potential to contain archaeological remains from the Roman period, trenching has identified a range of features such as a number of enclosures and associated ditches, pits and trackways. The assessment concludes however that these remains reflect small-scale land management, rather than settlement, and are unlikely to be of greater than low or local value. The site otherwise has very low potential to contain archaeology from other periods i.e. medieval to modern.

7.264 The site does contain ridge and furrow earthworks in some areas however this is relatively common, and these remains are not considered, by the submitted assessment, to be of more than negligible or local value. There is no reason to believe that the Site contains archaeological remains that would be of such significance as to warrant preservation and instead could be addressed through a phased programme of archaeological investigations, secured by condition to the planning permission.

7.265 The county archaeologist does not challenge the conclusions of the submitted archaeological assessments. It is highlighted that the areas of archaeological remains identified by the investigations are not of such significance to warrant preservation in situ, but they could, nonetheless, contain important evidence which will contribute to a number of local and regional research objectives for the late Iron Age and Romano-British periods. Accordingly, a condition is recommended to secure a programme of archaeological investigation (excavation)

7.266 In conclusion, the impact of the proposed development on listed buildings and non-designated heritage assets, including archaeological remains, would be acceptable, and the potential impacts can be further controlled through the subsequent reserved matters applications and the conditional framework. The proposal accords with the NPPF in this regard as well as with policies SD8 and A7 of the JCS and policy HE1 of the CP.

Planning Obligations

7.267 This development has generated the need for the following planning obligations in order to mitigate the impact of the development and/or to ensure policy compliance.

Affordable Housing

7.268 This is set out in some depth above but in summary, 31% affordable housing will be secured in respect of this development; this sub-policy offer (JCS Policy SD12) has been justified by a financial viability assessment which has been independently corroborated by the council's appointed experts. The detailed mix will be set out in the s106 Agreement.

Open Space – various forms

7.269 The masterplan, whilst illustrative, shows extensive areas of what are referred to as 'community productive garden/allotments'. The details of these areas will be provided within subsequent reserved matters submissions however it is necessary to secure their quantum, provision, maintenance and retention at this stage by means of the s106 Agreement.

7.270 The same is true of the children's play space; this is shown on the illustrative master plan, and each relevant reserved matters application will need to set out the details, however the quantum and provision of the play space together with future maintenance

arrangements will need to be secured at this outline stage by means of the s106 Agreement.

7.271 Collectively the open space which will need to be secured by the s106 Agreement, and which includes parks and gardens, amenity green space, children's play, allotments, structural and tree planting and SUDS, amounts to 6.54ha; this is shown on the submitted Parameters Plan (dwg no. 3503 revA).

7.272 In addition to the 6.54ha of open space referenced above, the application also includes the provision of 0.6ha of land to be safeguarded for playing pitches. It may transpire that this land is ultimately not required for playing pitches and as such the s106 Agreement will make provision for a commuted sum to be paid in lieu of this onsite provision, if the LPA elects to do this at the end of the prescribed safeguarding period.

7.273 On site sports facilities are limited and therefore it has been agreed that a proportionate financial contribution will be made by the developer towards off-site sports facilities. The s106 Agreement will need to secure the agreed contribution (£119,622) and the trigger point(s) for its payment.

Suitable Alternative Nature Green Space (SANG)

7.274 This development makes provision for some of the requisite SANG to be provided on-site (see ecology section above) with the remainder provided off-site at Hill Farm, Leckhampton. The s106 Agreement will need to secure such provision together with fall-back provisions in the event that the off-site provision is unachievable. A financial contribution towards SAMM (Strategic Access Management and Monitoring) is also a requirement (£85,499 has been agreed) and the detailed arrangements for this will need to be set out within the s106 Agreement.

Public Art

7.275 The s106 agreement will need to make provision for the submission (and approval) of a Public Art Strategy as well as the subsequent installation of the agreed public art. A financial contribution of £6,998 has been agreed. The provision of public art is a requirement of the Golden Valley SPD (Policy C9)

M5 Improvement Works

7.276 The requisite financial contribution towards the M5 Junction 10 improvement scheme will need to be secured via the s106 Agreement. As stated elsewhere in this report, the agreed contribution is £2,003,027.69.

Other Highway Related Matters

7.277 A package of other highway matters will need to be secured including the active travel measures, the bus contribution (bus service H) and Travel Plan contributions. The highway works (roundabout etc.) will need to be secured.

Education

7.278 The proposed two-form-entry primary school site straddles this application site and the site of the adjoining application (ref. 22/01817/OUT). The extent of this land situated within *this* application site, will need to be transferred to Gloucestershire County Council so that the primary school can be provided. It will need to be transferred at no cost to GCC and in a cleared and decontaminated state.

7.279 There is the potential for a three-form-entry primary school to be required, rather than the two-form-entry facilities principally proposed. To this end, the s106 agreement will commit GCC to undertake an 'Expansion Review' to determine whether primary school expansion

is required. If expansion is indeed required, the expansion land will need to be transferred to GCC. GCC is required to deliver the primary school itself, on the land that the developer will have provided (see below). The s106 Agreement will comprehensively deal with this matter.

7.280 In addition to the above, the payment of a financial contribution will be secured towards the capital cost of constructing/delivering the aforementioned primary school (£2,557,631) and its expansion if required. Financial contributions will also be secured towards secondary school (£1,644,912) and sixth form provision (£504,489).

Library Contributions

7.281 A financial contribution of £71,714 will be secured towards library provision.

Planning Obligations Summary Table

GCC Asks		
M5 J10	£2,003,028	
Residential Travel Plan Deposit Contribution	£0	
Commercial Travel Plan Deposit Contribution	£0	
Monitor and Manage Bond	£0	
Travel Plan Monitoring Fees	£10,000	
Implementation of Public Transport Strategy	£620,000	
Implementation of Marsland Road 20mph and active travel scheme by GCC	£60,859	
Implementation of local Traffic Regulation Orders	£30,000	
PRIMARY EDUCATION	£2,557,631	
SECONDARY EDUCATION (11-16YRS)	£1,644,912	
SECONDARY EDUCATION (16-18YRS)	£504,489	
LIBRARIES	£71,714	
Primary School Land		GCC education require safeguarded land.
Sub Totals	£7,502,633	
CBC Asks		
PUBLIC ART	£6,998	To be provided by the applicant at by 400 th dwelling
CBC GCC MONITORING S106	£20,000	
SPORTS OFF SITE	£119,622	To be paid by applicant at 200 th occupation.
SAMM (SANG)	£85,499	50% to be paid upon 1 st and rest at 400 th occupation.
AFFORDABLE HOUSING		As per mix on AH section of report.
BIODIVERSITY NET GAIN		Standardised 30-year management wording.
SANG		On site delivery linked to occupations and managed in perpetuity as part of open space.
OPEN SPACE		Open space type and quantum to be

		provided in accordance with The 26 Jan 2026 EDP3132_D 109 GREEN SPACE AND SANG PROVISION
ALLOTMENTS		0.26ha as per 26 Jan 2026 EDP3132_D 109 GREEN SPACE AND SANG PROVISION
SPORTS ON SITE		Land to be given prior to first occupation to the adjoining developer to allow them to construct the sports pitches. Exact legal wording to be agreed at S106 drafting stage.
Sub Totals	£232,120	
Totals	£7,734,753	

Planning Obligations Conclusions

7.282 All of the planning obligations detailed above meet the requisite policy (NPPF Para 58) and legislative tests (Reg 122 of the CIL Regulations 2010). As stated elsewhere in this report, the requisite tests are as follows:

Planning obligations must only be sought where they meet all of the following tests:

- (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*

7.283 All of the above obligations are considered to make the development acceptable in planning terms (in order to mitigate the impact of the proposal and/or ensure compliance with planning policy); all are directly related to the development itself (including its impacts) and the contributions/obligations themselves are considered to be fairly and reasonably related in scale and kind to the development proposed.

7.284 It is noted that Gloucestershire Constabulary have requested financial contributions from the developer totalling £125,198. It is stated that such contributions are necessary to offset the policing impacts of the development and the associated increase in population. The requested contributions can be broken down into £28,476 towards the recruitment and equipping of officers/staff; £5,897 towards police vehicles and £90,825 towards office accommodation. It is unclear how these sums have been derived or calculated.

7.285 Whilst financial contributions towards police infrastructure have the potential to be legitimate planning obligations, subject to compliance with Regulation 122 above, in this particular case it has not been demonstrated that these tests have been met. Of concern is a lack of evidence satisfactorily demonstrating that the sums sought are fairly and reasonably related to the development itself; it has also not been demonstrated that these contributions are necessary to make the development acceptable in planning term. Of particular concern is the fact that much of the requested contributions relate to operational matters, rather than capital projects.

7.286 To be clear, even had it been concluded that the requisite tests in Regulation 122 had been passed, the delicate viability balance is such (see above) that the requested police contributions would have been apportioned a low priority (as compared to critical matters such as affordable housing and M5 J10 contributions for example) and as such would not have been sought in this case. There has been ongoing engagement in respect of the strategic sites with the Police, this has included advice relating to Community Infrastructure Levy. The CIL Joint Committee at its last meeting on 4th February agreed a CIL Infrastructure Fund Project Bid round be opened in Spring 2026. The Police have been advised of this opportunity to bid for future CIL funding.

Public Sector Equality Duty (PSED)

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

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

7.288 In this case, having considered the merits of the application, this authority is satisfied that the proposed development meets the requirements of the PSED.

7.289 Due regard has been had to the nine protected characteristics recognised within the PSED, and officers are satisfied that no-one has been discriminated against in the determination of this application. The representation received in response to the publicity exercise has been noted and considered.

8. PLANNING BALANCE AND CONCLUSION

8.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 directs that Planning decisions must be made in accordance with the development plan unless material considerations indicate otherwise.

8.2 The development plan applicable to this site, and to Cheltenham borough as a whole, is the Cheltenham Plan (CP) adopted in 2020 and the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (JCS) adopted in 2017.

Compliance with the Development Plan

8.3 Policy SP1 of the JCS identifies the need for 35,175 new homes and a minimum of 192 hectares of employment land during the plan period (2011-2031) and the need for at least 10,917 of these new homes to meet the housing needs of Cheltenham. JCS Policy SP2 identifies two substantial cross-boundary urban extensions to Cheltenham which will, in part, meet those economic and housing needs.

8.4 Policy A7 of the JCS allocates land at West Cheltenham for residential and employment development (focussed upon a cyber security hub and other high technology); the current application site forms an integral part of that wider development plan residential/employment allocation. The application, which proposed a predominantly residential scheme with some, albeit limited, employment uses is, in principle, in accordance with the development plan.

8.5 The application is in outline with all matters reserved except for access. Be that as it may, the submission includes a Tier 2 Design Code which includes a Regulatory Plan, both of

which will be secured by condition; it is necessary therefore that the design and layout of the scheme are scrutinised in so far as they as they will be fixed at this outline stage.

- 8.6** Policy SD4 and Policy A7 of the JCS require development to respond positively to and respect the character of the site and its surroundings. Policy D1 of the CP requires development to achieve a high standard of architectural design that complements neighbouring development. It is evident that the design approach to the layout of the scheme, as set out in the illustrative master plan and Regulatory Plan, is appropriate and well-considered. The overarching template that these documents will provide will ensure that subsequent reserved matters applications are of a high quality which will integrate with adjoining existing and proposed development in a seamless manner. The Tier 2 Design Code is supported and provides sufficient confidence that subsequent reserved matters applications will be of high design quality in respect of layout, detailed design, potential impact on neighbouring amenity and landscaping, in accordance with development plan policy.
- 8.7** Access is not a reserved matter and therefore the highway impact of this development must also be assessed at this outline stage. Policy INF1 of the JCS prescribes that development should include safe and accessible connections to the transport network and that where severe highway impacts are likely, they must be adequately mitigated. Policy A7 of the JCS sets out how the site should be accessed for vehicular purposes (i.e. via Old Gloucester Road) as well as dealing with other site-specific matters such as pedestrian/cycle links and public transport arrangements.
- 8.8** The development is to be accessed via a new compact three-arm roundabout to Old Gloucester Road which is acceptable in operational terms and ultimately policy compliant. More broadly, the impact of the proposed development on the local and strategic highway network will be acceptable subject to a package of off-site improvement and mitigation works (to both) including a significant financial contribution towards the upgrade of M5 Junction 10 and associated works. The scheme incorporates a network of pedestrian and cycle links connecting the development with adjoining development, both existing and planned as well as the wider town. The application is considered to be compliant with highway policy in particular Policy INF1 of the JCS as well as JCS Policy A7.
- 8.9** The application demonstrates that the proposed outline scheme is policy compliant in respect of flood risk and drainage. The application site was subject to the sequential test at the plan-making stage. Within the site, vulnerable forms of development avoids areas of high flood risk and the most recent revisions to the scheme re-site the attenuation ponds away from areas of increased flood risk.
- 8.10** The impact of the proposed development on designated and non-designated heritage assets is limited and policy compliant. The development will not have a harmful setting on any nearby listed buildings or other designated heritage assets and within the site any potential archaeological remains (non-designated heritage assets) will be adequately dealt with by condition.
- 8.11** The development will provide a satisfactory quantum of affordable housing (31%). Whilst the relevant development plan policy (JCS Policy SD12) requires 35% affordable housing on the strategic allocated sites, this shortfall does not amount to a conflict with the development plan as Policy SD12 allows for a reduction where financial viability is an issue, as is the case here.
- 8.12** It is concluded that, for the reasons set out above, the application, subject to conditions and planning obligations, accords with the development plan i.e. the Joint Core Strategy and the Cheltenham Plan.

Material Considerations and Whether these Indicate That a Decision Contrary to the Development Plan Ought to Be Taken

8.13 It is considered that relevant material considerations weigh in favour of granting permission, and ultimately support the development plan, rather than indicating that a decision contrary to it ought to be taken, for the reasons set out below.

Golden Valley SPD

8.14 In 2020 the council adopted the 'Golden Valley' Supplementary Planning Document (SPD); this document is a key material consideration which carries significant weight. The SPD document sets out guidance as to how the outcomes specified in the development plan in respect of the West Cheltenham/Golden Valley strategic allocation (namely Policy A7) are expected to be delivered. The SPD includes a masterplan framework which encapsulates a number of key objectives for delivery of the wider development.

8.15 The SPD masterplan framework shows a mid-density, housing-led garden community (which is to include community infrastructure) within this part of the wider allocation, and that is what the current application proposes. The application is considered to comply with the Golden Valley SPD in so much as an outline application with all matters reserved except access, can.

National Planning Policy Framework

8.16 The National Planning Policy Framework (NPPF) December 2024 is another key material consideration which carries significant weight.

8.17 The NPPF, at Paragraph 11, sets out a presumption in favour of sustainable development. This presumption means approving development proposals which accord with an up-to-date plan without delay or where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless

- i. the application of policies in the NPPF that protect areas or assets of particular importance provides a strong 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.

8.18 The NPPF is clear (at footnote 7) that situations where the local planning authority cannot demonstrate a five-year supply of deliverable housing sites and/or where the Housing Delivery Test indicates that the delivery of housing was less than 75% of the housing requirement over the previous three years, amounts to the policies which are most important for determining the application being out of date.

8.19 Cheltenham Borough Council can currently (September 2025) demonstrate a 2.69-year supply of deliverable housing sites; the council's development plan is therefore out of date and the presumption in favour of sustainable development consequently applies.

8.20 There are no policies in the NPPF which provide a strong reason for refusing the development proposed, on the contrary the application is considered to comply with the NPPF where relevant, and there are not considered to be any adverse impacts to be weighed against the benefits; the NPPF therefore directs that permission be granted.

Final Balance and Conclusion

8.21 Planning decisions are to be taken in accordance with the development plan, unless material considerations indicate otherwise. The application complies with the development plan and will result in the ultimate delivery of one of the council's key allocated sites; the substantial benefits of delivering one of the council's key allocated sites weigh considerably in favour of granting consent.

8.22 Notwithstanding compliance with the development plan, the development plan policies which are the most relevant to this decision are deemed to be out of date (by virtue of a lack of 5-year housing land supply), and as such the NPPF presumption in favour of sustainable development is engaged – a key material consideration carrying significant weight. Neither this material consideration, nor any other material considerations, indicates that a decision other than in accordance with the development plan (i.e. permission) ought to be taken. There are no adverse impacts of granting permission which would significantly and demonstrably outweigh the benefits, nor does the application of any NPPF policies provide a strong reason for refusing the application. Accordingly, it is recommended that permission be granted, subject to the conditions and obligations detailed in this report.

RECOMMENDATION

To delegate authority to the Head of Planning to **permit** the application subject to:

- A) the conditions as set out or substantially similar as may be agreed under delegated authority given to the Head of Planning and:
- B) completion of a S106 obligation and/or other legal document to deliver the infrastructure and other mitigation, as set out in this report at paragraphs 7.265 to 7.278 and for alterations to s106 heads of terms as may be agreed under delegated authority given to the Head of Planning in consultation with the Chairman and Vice Chairman of the Planning Committee.
- C) In the event that the S106 obligation and/or other legal document remains unsigned nine months after this resolution, that the application is reviewed by the Head of Planning in consultation with the Chairman and Vice Chairman of the Planning Committee, and if no progress is being made delegated authority is given to the Head of Planning to refuse the application in the absence of an agreed S106 Agreement.

9. CONDITIONS

1. Approved Plans and Documents

The development hereby permitted shall be carried out in accordance with the following drawings and documents:

- a) Site Location Plan – dwg no. 1003 dated January 2026
- b) Parameters Plan – dwg no. 3503 revA
- c) Proposed Compact Roundabout General Arrangement – dwg no. PD43 Rev A
- d) Pedestrian and Cycle Connectivity Plan (IDP plan) received 3rd of June 2025
- e) Road Connections Plan (IDP plan) received 3rd of June 2025

Reason: To clarify the permission and provide the comprehensive masterplan and delivery strategy expected by Policy A7 of the JCS.

Illustrative / Indicative Material

The development hereby permitted shall be carried out in broad accordance with the following drawings and documents:

- a) Illustrative Masterplan – dwg no. 4007 revB
- b) Illustrative Comprehensive Masterplan received 3rd of June 2025.

Reason: Whilst illustrative, future reserved matters applications should be in broad accordance with these plans to support the delivery of a high-quality development.

2. Design Code

The development shall be carried out in accordance with the Design Code (ref: West Cheltenham, Landscape and Built Form Design Code, January 2026, Rev D) and the accompanying Regulatory Plan (ref: Regulatory Plan on pages 6&7 of the same design code), and the Parameters set out (ref: Parameters Plan, Dwg no: 3503, rev A). For the avoidance of doubt, the Regulatory Plan is deemed to be mandatory in defining the overarching spatial structure, design intentions, and key parameters for the site. Notwithstanding the use of the term “indicative” within elements of the Regulatory Plan, any application for Reserved Matters shall demonstrate:

- i. Broad accordance with the illustrative arrangements shown on the Regulatory Plan, including but not limited to the disposition of land uses, block structure, movement framework, key frontages, and the location and hierarchy of public spaces; and
- ii. Full conformity with the design code’s mandatory requirements, overarching ethos, and controlling parameters as set out in the parameter plans and Design Code.

Any deviation from the illustrative elements of the Regulatory Plan shall only be permitted where it can be robustly demonstrated, through the Reserved Matters submission, and agreed with the Local Planning Authority, that the alternative approach delivers outcomes of equal or improved design quality, character, legibility, and placemaking intent, consistent with the Design Code as a whole.

Reason: To ensure that subsequent Reserved Matters proposals deliver a coherent and high-quality development that reflects the spatial structure, design intent and mandatory parameters established in the Design Code and its Regulatory Plan. This is necessary to secure well-designed places in accordance with Section 12 of the National Planning Policy Framework, the National Design Guide (2021), and Policies SD4 of the adopted Joint Core Strategy, 2011- 2031, which require development to demonstrate strong design vision, legibility, character and placemaking consistent with an agreed design code.

3. Quantum

In line with the Town and Country Planning (Use Classes) Order 1987 (or in any provision equivalent to that Class in any statutory instrument revoking and reenacting that Order with or without modification), the maximum amount of development permitted comprises:

- a) Up to 443 dwellings (Use Class C3)
- b) Up to 500sqm Gross Internal Floorspace of Use Class E
- c) Flexible land as required within which the Primary School (Class F1) can be accommodated

Reason: To define the scope of the permission.

4. Phasing Plan

Prior to or alongside the submission of the first of the Reserved Matters, regarding layout, a phasing strategy, covering the full extent of the outline permission red line, including a timetable for delivery of development and associated infrastructure to be provided within each phase, shall be submitted to and approved in writing by the local planning authority. This shall include details of:

A) the sequence for the delivery of:

- I. Location of open spaces, (Suitable Alternative Green Space (SANG,) play areas, green infrastructure.
- II. Approximate number of market and affordable homes to be provided for each phase.
- III. The non-residential components.
- IV. Accesses for pedestrians, cyclists, buses, temporary bus turning facilities and other vehicles.
- V. Location for the bus stop facilities and mobility hub within the site.

B) The phasing strategy shall be accompanied by a statement demonstrating how the development proposal enables a comprehensive scheme to be delivered across the developable area and demonstrate that it would not prejudice the sustainable delivery of the entire allocation.

The Reserved Matters shall be submitted in accordance with the approved phasing strategy unless further changes are agreed to the strategy in writing by the Local Planning Authority.

Reason: To ensure there is a clear and phased framework for both the development and for the submission of applications for Reserved Matters approvals and so that the development is carried out in a sustainable and coherent manner.

5. Reserved Matters & Timing of Submission

No part of the development shall take place on a particular phase, subphase, or development parcel until full details of the layout, scale, appearance and landscaping within the phase, subphase, or development parcel (hereinafter called "the reserved matters") have been submitted to and approved in writing by the local planning authority.

With the exception of the 'school expansion land' (this being the land identified within Parameters Plan ref. 3503 Rev A as 'flexible land within which Primary School (class F) can be accommodated'), application for approval of the reserved matters for the first phase as identified by the phasing plan required under Condition 3 shall be made to the local planning authority no later than the expiration of TWO years from the date of this permission and the last application for reserved matters approval shall be made no later than SIX years beginning on the date of this permission unless there is a delay to the completion of the J10 Improvement Works Scheme. If the J10 Improvement Works Scheme is not completed by a date FOUR years from the date of this permission, then a further TWO years will be added to the deadline for the submission of the last reserved matter.

If the Expansion Review confirms that some or all of the school expansion land is not required for expansion of the primary school, application for the approval of all reserved matters relating to the 'school expansion land' as defined above, shall be submitted within 24 months of completion of the Expansion Review by the local education authority. Confirmation that that Expansion Review has been completed, together with its conclusions, shall be submitted in writing to the local planning authority with the first reserved matters submission relating to the 'school expansion land'.

Reason: To support the lack of a viability review mechanism and ensure timely delivery of housing.

6. Implementation Constraints

Each phase or sub-phase of the development hereby permitted as approved under condition 4, and which for the avoidance of doubt includes the 'school expansion land' shall be begun not later than two years from the date of approval of the last of the reserved matters to be approved for that phase or sub-phase.

Reason: To accord with Section 92 of the Town and Country Planning Act 1990 as this permission is outline.

7. Reserved Matters Applications

Reserved Matters applications shall accord with the relevant approved plans and documents listed in Condition 2 (Approved Plans and Documents). Applications shall include, where applicable, details of:

- I. Layout and scale
- II. Housing mix and/or quantum and type of non-residential uses in broad accordance with the most up to date evidence of the local housing market need
- III. Existing and proposed ground levels
- IV. Existing and proposed finished floor levels
- V. Design Code Compliance Statement
- VI. Compliance with nationally described space standards
- VII. Surface water drainage
- VIII. Foul water drainage
- IX. Access
- X. Car parking
- XI. Ecological mitigation measures
- XII. Appearance including elevational treatments and materials
- XIII. Boundary treatments
- XIV. Waste storage
- XV. External lighting
- XVI. Noise conditions and mitigation measures
- XVII. Odour emissions and mitigation measures
- XVIII. Electric Vehicle charging points and Solar Panels
- XIX. Employment skills plan for commercial uses
- XX. A copy of the Great Crested Newt license applicable to that site/phase.

Reason: To provide a satisfactory and well-planned development and to define the information required as part of future reserved matters applications.

8. Nationally Described Space Standards

Room sizes in all dwellings constructed as part of the development hereby approved must meet or exceed the Nationally Described Space Standards (March 2015).

Reason: to safeguard residential amenity of future occupiers. Sustainability

9. Sustainability Compliance Statement

Each reserved matters application shall include a Climate Change Compliance Statement that provides details of how energy saving measures will be incorporated into the design and how carbon dioxide emissions will be reduced in conformity with the Sustainability Statement received 25 June 2025, unless otherwise agreed in writing with the LPA.

No dwelling, apartment or commercial building hereby approved shall be occupied until their climate change features, such as PV and ASHP, have been fully installed in accordance with a specification approved by the reserved matters application.

Reason: Necessary to ensure that the proposal meets the requirements of the Golden Valley Development and Climate Change SPDs.

10. Open Space

Each application for the approval of reserved matters shall include the following details for each phase that includes open space provision within that application:

- a) Open spaces, including on-site SANG
- b) Locations, specifications and product literature relating to street furniture including signs, seats, bollards, planters and refuse bins
- c) Whether public access will be permitted to such land
- d) Details of measures to promote ecological interests and biodiversity; and
- e) An open space phasing plan showing how the delivery of the open space will be phased and completed as part of that phase of development.

The open space provision shall be implemented in accordance with the details agreed as part of the reserved matters approval for that phase. The open space shall be completed and available for use in accordance with the approved open space phasing plan and shall be permanently maintained and retained for such amenity purposes thereafter.

Reason: To ensure that appropriate measures to mitigate for any adverse effects to the Cotswold Beechwoods SAC that could potentially occur as a result of the development are suitably addressed

11. SANG Homeowner Pack

Prior to the first occupation of development within each phase, details of a Homeowner Information Pack providing information on recreation resources in the locality shall be submitted to and approved in writing by the local planning authority. The pack should present information describing informal recreation opportunities in the following sequence:

- a) Public Open Space (POS) on Your Doorstep: Information pertaining to both existing POS within the development and any future POS coming forward as part of the scheme. It should detail walking routes on site of different lengths, connections to offsite footpaths and locations of open POS and the facilities (play areas etc.).
- b) Public Open Space a Short Drive or Bus Ride.
- c) Visiting the Cotswolds: Provide information on local places to visit within the Cotswolds with car parks and visitor facilities at different scales, focusing on those areas that are most easily accessible and those further afield. Provide general information regarding the country code, keeping to footpaths, reading and following visitor information signs etc.
- d) Weekend and Day Visits: Provide several options for visits that are 30mins to 1 hour from Site, that offer scenic views and facilities.

Reason: To ensure that appropriate measures to mitigate for any adverse effects to the Cotswold Beechwoods SAC that could potentially occur as a result of the development are suitably addressed.

12. Play Spaces

Each application for the approval of reserved matters for any phase that includes play space shall include a detailed specification for the play space within that phase. Locations shall be in broad accordance with the Regulatory Plan 'indicative location of play surface' which forms part of the approved Tier 2 Design Code (January 2026, Revision D).

Each phase should seek to achieve a cumulative minimum standard of 0.04 Ha per 1,000 people. No development of any relevant phase shall be occupied until details of the play spaces for that phase have been approved in writing by the local planning authority.

No more than 50% of the dwellings in any relevant phase shall be occupied unless and until the play space in that phase has been implemented and completed in accordance with the approved details. The play space(s) shall be maintained and retained for such amenity purposes thereafter.

Reason: To ensure sufficient play provision for future residents.

13. Allotments

Each application for the approval of reserved matters for any phase that contains allotments shall include a detailed specification for the allotments within that phase. The specification shall include the following details:

- a) A minimum provision of 0.25 Ha per 1,000 people and as shown on the Regulatory Masterplan and as referred to as 'productive gardens and edible beds' within the approved Tier 2 Design Code (January 2026, Revision D)
- b) A plan to show the location and layout of the allotments.
- c) Access and parking arrangements to allow easy and safe access to the allotments. This should include vehicular access and a turning area, access for those with disabilities, cycle parking within the site and associated car parking
- d) Boundary treatment, including security arrangements
- e) Location of communal areas, toilets and water supply; and
- f) A programme of implementation and ongoing management.

No development of any relevant phase shall commence until details of the allotments for that phase have been approved in writing by the local planning authority. No more than 50% of the dwellings within a relevant phase (or any subsequent phase of the development) shall be occupied until the allotments have been completed in accordance with the approved specification. The allotments shall be retained and maintained for their intended use thereafter.

Reason: To ensure sufficient access to allotments for the future occupations.

14. Landscape Management Plan

No development within each phase shall be occupied until a Landscape Management Plan (LMP) for that phase, including a programme for implementation, addressing management responsibilities and maintenance schedules for upkeep of all landscaped areas, other than domestic gardens, has been submitted to and approved in writing by the local planning authority. The LMP shall be implemented in accordance with the details of the programme of implementation and shall be maintained and retained thereafter.

Reason: In the interests of the character and appearance of the area.

15. Tree Protection

No development within each phase shall commence until details of tree protection measures for that phase have been submitted to and approved by the local planning authority. The approved measures shall be carried out in accordance with the requirements of BS5837:2012 and retained in accordance with the approved details for the duration of the construction phase. If, within five years from the completion of the development within each phase, a retained tree, shrub or hedgerow is removed, destroyed, dies or becomes, in the opinion of the local planning authority, seriously damaged or defective, a replacement tree (as the case may be) shall be planted within the site of such species and size, and shall be planted at such time as specified in writing by the local planning authority.

Reason: To safeguard the existing tree(s) in the interests of visual amenity. Approval is required upfront to ensure that important trees are not permanently damaged or lost.

Commercial

16. Hours of Use

Any Reserved Matters containing non-residential building in Use Classes E or F shall provide details of the hours of use and/or of deliveries and collections to be submitted to and approved in writing by the local planning authority. The use of the premises and mobility hubs shall be implemented in accordance with the details as approved.

Reason: To safeguard the amenity of adjacent properties and the general locality

17. External Plant

No external plant or machinery shall be installed in any of the non-residential uses unless and until details of the ventilation and extraction equipment have been submitted to and approved in writing by the local planning authority. Any measures required by the local planning authority to reduce noise from the plant or equipment shall be completed prior to the ventilation and extraction equipment being brought into use in accordance with the details as approved and shall be retained and maintained as such thereafter.

Reason: To safeguard the amenity of adjacent properties and the general locality.

Archaeology

18. Archaeology

No development shall commence within each phase until a programme of archaeological evaluation for that phase has been secured and undertaken in accordance with a written scheme of investigation which has been first submitted to and approved in writing by the local planning authority. A mitigation strategy detailing the approach to excavation/preservation shall be submitted to and approved in writing by the local planning authority following the completion of the programme of archaeological evaluation.

No development shall commence on those areas of the site containing archaeological deposits until the satisfactory completion of any fieldwork and/or other requirements detailed in the mitigation strategy. Within six months of the completion of any fieldwork a post-excavation assessment shall be submitted to and approved in writing by the local planning authority. This will include a programme and timetable for completion of post excavation analysis and preparation of a full site archive. Any post-excavation analysis shall be carried out as approved.

Reason: It is important to agree a programme of archaeological work in advance of the commencement of development, so as to make provision for the investigation and recording of any archaeological remains which may be present.

Environment Management

19. Construction Environmental Management Plan (CEMP)

Prior to commencement of development in each phase, a Construction Environmental Management Plan (CEMP) for that phase shall be submitted to, and approved in writing, by the local planning authority. The plan/statement shall include but not be restricted to:

- Parking of vehicle 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
- Any temporary access to 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
- Arrangements for turning vehicles
- Arrangements to receive abnormal loads or unusually large vehicles
- Highway Condition survey
- Methods of communicating the Construction Management Plan to staff, visitors and neighbouring residents and businesses.

Provision shall be made within the CEMP for the appointment of an Ecological Clerk of Works (ECoW) to undertake site visits and to supervise ecologically sensitive operations.

Where considered to be required by the project ecologist, the CEMP shall be supplemented by a Method Statement for a Preliminary Method of Working (MSPMW) to avoid accidental harm being caused to any protected, priority or notable habitats or species.

The development shall be carried out in full accordance with the approved details or any amendments agreed in writing by the local planning authority.

Reason: To demonstrate compliance with the 1981 Wildlife & Countryside Act (as amended); the 1996 Wild Mammals Protection Act; the 2017 Habitats Regulations. the 2006 NERC Act; the 2006 Animal Welfare Act; and the 1992 Protection of Badgers Act

Biodiversity

20. Habitat Management and Monitoring Plan

No development within each phase shall commence until a 30-year Habitat Management and Monitoring Plan (HMMP) for that phase has been submitted to, and approved in writing by, the local planning authority. The plan shall 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. Landscape and ecological trends and constraints on site that might influence management
- iii. Aims and objectives of management, including ensuring the delivery of at least a 10% net gain in habitat and hedgerow 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 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 that might need to be put in place; and

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 full in accordance with the approved details.

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.

21. Biodiversity Gain Plan

Prior to the commencement of the first phase of the development hereby approved, including all site clearance and vegetation removal, the applicant shall submit an "Overall" Biodiversity Gain Plan which includes the following:

- a) information about the steps taken or to be taken to minimise the adverse effect of the development on the biodiversity of the onsite habitat and any other habitat
- b) the pre-development biodiversity value of the onsite habitat
- c) the post-development biodiversity value of the onsite habitat
- d) the indicative pre- and post-development biodiversity value of the offsite habitat (as far as is possible to provide at the time of overall/phase biodiversity gain plan submission)
- e) name and address of the person completing the Plan, and (if different) the person submitting the Plan
- f) a description of the development and planning permission reference number (to which the plan relates)
- g) the relevant date, for the purposes of calculating the pre-development biodiversity value of onsite habitats and if proposing an earlier date, the reasons for using this earlier date
- h) the completed biodiversity metric calculation tool(s), stating the publication date of the tool(s), and showing the calculation of the pre-development onsite value on the relevant date, and onsite post-development biodiversity value, and indicative off-site post development biodiversity value (as far as is possible to provide at the time of overall/phase biodiversity gain plan submission)
- i) a description of arrangements for maintenance and monitoring of habitat enhancement to which paragraph 9(3) of Schedule 7A to the 1990 Act applies (habitat enhancement which must be maintained for at least 30 years after the development is completed) (as far as is possible to provide at the time of overall/phase biodiversity gain plan submission for offsite habitat)
- j) (except for onsite irreplaceable habitats) a description of how the biodiversity gain hierarchy will be followed and where to the extent any actions (in order of priority) in that hierarchy are not followed and the reason for that
- k) pre-development and post-development plans showing the location of onsite habitat (including any irreplaceable habitat) on the relevant date, and drawn to an identified scale and showing the direction of North
- l) l) indicative pre-development and post-development plans showing the location of offsite habitat (including any irreplaceable habitat) on the relevant date, and drawn to an identified scale and showing the direction of North (as far as is possible to provide at the time of overall/phase biodiversity gain plan submission)
- m) a description of any irreplaceable habitat on the land to which the plan relates which exist on the relevant date, and any part of the development for which planning permission is granted where the onsite habitat of that part is irreplaceable habitat arrangements for compensation for any impact the development has on the biodiversity of the irreplaceable habitat; and
- n) if habitat degradation has taken place:

- a statement to this effect,
- the date immediately before the degradation activity,
- the completed biodiversity tool showing the calculation of the biodiversity value of the onsite habitat on that date, and
- any available supporting evidence for the value.

An updated Biodiversity Gain Plan shall be submitted with each new phase of development showing progress against the agreed targets within the approved Overall Biodiversity Gain Plan.

Reason: The applicant has advised they will achieve biodiversity net gain, which is taken into account in the planning balance. The NPPF states "Planning policies and decisions should contribute to and enhance the natural and local environment by... minimising impacts on and providing net gains for biodiversity..." and "To protect and enhance biodiversity and geodiversity, plans should...identify and pursue opportunities for securing measurable net gains for biodiversity".

21. Ecological Mitigation & Enhancement Strategy

Prior to the commencement of the development on each phase hereby approved an Ecological Mitigation & Enhancement Strategy (EMES) shall be submitted to, and approved in writing by, the local planning authority. This shall include details of the provision of bird, bat, insect and hedgehog boxes plus all garden fences to be installed with a 13cm gap from the ground. The bird boxes must include bricks or tiles for swift and house sparrow. All species boxes should be integral to the building where possible. The location, specification, height and orientation of these features shall be shown on a site plan. The development shall be carried out in full accordance with the approved details or any amendments agreed in writing by the local planning authority.

Reason: (1) The Natural Environment and Rural Communities (NERC) Act 2006 (Section 40) obliges the LPA '... in exercising its functions, [to] have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity'. In order to discharge its biodiversity duty, the LPA must satisfy itself that all developments deliver ecological enhancement wherever reasonably possible; (2) Ecological enhancement is a requirement of the revised National Planning Policy Framework (2024) which states (in paragraph 180) that 'Planning policies and decisions should contribute to and enhance the natural and local environment...'. And (3) Policy SD9 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy 20.11-2031 (2017) which encourages new development to: "contribute positively to biodiversity and geodiversity whilst linking with wider networks of green infrastructure. For example, by incorporating habitat features into the design to assist in the creation and enhancement of wildlife corridors and ecological steppingstones between sites

22. Precautionary Method of Working Statement

Prior to the commencement of development in each phase, including all site clearance and vegetation removal, a method statement for a Precautionary Method of Working (PMW) with respect to Technical Appendix 8.1 Ecological Baseline prepared by The Environmental Dimension Partnership Ltd (2023) shall be prepared by a suitably qualified ecological consultant and submitted to and approved in writing by the local planning authority. This shall include measures to avoid offences against legally protected species (e.g., Hazel Dormouse and Bats) The development shall be carried out in full accordance with the approved method statement.

Reason: To ensure the protection of legally protected and priority (Section 41) species which are a material planning consideration. And to demonstrate compliance with the 1981 Wildlife & Countryside Act (as amended) and the 2017 Habitats Regulations.

23. Ecological Survey Reports

Each application for the approval of reserved matters shall contain an updated Ecological Survey Report (ESR) carried out by a suitably qualified ecologist for approval in writing by the local

planning authority. The ESR shall include updated protected species surveys and details of any licensing arrangements that may be required. The ESR shall conclude whether the Ecological Mitigation & Enhancement Strategies (EMES) and/or Precautionary Working Method Statement (PWMS) should be updated, and if so, an updated EMES and/or PWMS shall be submitted to and approved in writing by the local planning authority prior to the commencement of works.

Reason: To ensure legal and policy compliance with regard to valued ecological species and habitats as well as to invasive plant species.

24. Compliance with Report including for EPS

The development shall be carried out in strict accordance with the recommendations in the consultancy report (Great Crested Newt Mitigation Strategy (Northern Parcel) Prepared by The Environmental Dimension Partnership Ltd, January 2026). All the recommendations shall be implemented in full according to the timescales laid out in the recommendations and thereafter permanently maintained for the stated purposes of biodiversity conservation.

Reason: To ensure that Great Crested Newts are protected in accordance with The Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife and Countryside Act 1981 (as amended), , paragraphs 187, 192 and 193 of the National Planning Policy Framework and in order for the Council to comply with Section 40 of the Natural Environment and Rural Communities Act 2006 as amended by the Environment Act 2021

26. Living Walls and Roofs

Where living walls and / or roofs are proposed, applications for the approval of reserved matters shall contain a method statement prepared by a suitably qualified ecologist or landscape architect for the creation of living roofs and/or walls. This shall include management details (e.g. watering/care schedule, species/seed mix avoiding the sole use of sedum, provision of features for invertebrates) and details of the provision of new plants should the originals fail. The development shall be carried out in full accordance with the details submitted unless otherwise agreed in writing by the local planning authority.

Reason: To ensure appropriate management if living walls are used.

27. Nesting Birds

If works are proposed within the nesting bird period (March to August inclusive), nesting bird checks shall be completed by a suitably qualified ecologist to ensure that no breeding birds would be adversely affected including by disturbance by the works. Where checks for nesting birds are required, they shall be undertaken no more than 48 hours prior to the removal of vegetation. If nesting birds are found, a 5m buffer zone shall be implemented and works shall not be carried out in that area until the chicks have fledged.

Reason: To ensure that wild birds, building or using their nests are protected, to demonstrate compliance with the 1981 Wildlife & Countryside Act (as amended).

Environmental Health

28. Contaminated Land

Prior to the commencement of development for each phase, a Phase 1 desktop study shall be submitted to and approved in writing by the local planning authority in respect of potential ground contamination. Thereafter if further site investigations or remediation works are deemed to be required these shall be undertaken in full and validation reports submitted to the local planning authority for approval. The development shall take place in full accordance with any recommendations (including agreed timescales) set out within the approved remediation strategies. If during development, contamination not previously identified is found to be present

within a development parcel, then no further development shall be carried out in the affected area until a remediation strategy has been submitted to and approved in writing by the local planning authority, detailing how this contamination shall be dealt with. Thereafter the approved remediation strategy shall be implemented, and the development completed accordingly.

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.

29. Noise Residential

Noise levels within all dwellings hereby approved shall not exceed those set out in the prevailing British Standard guidance (currently BS8233:2014 "Sound Insulation and Noise Reduction for Buildings) applicable at the time of submission of reserved matters which include dwellings. Noise levels measured at enclosed outdoor private amenity areas (balconies and private rear gardens) shall attain the 50dB(A) desirable criteria where possible and not exceed the upper limit recommended in BS8233:2014 of 55dB(A). Details of glazing, barrier and ventilation systems including overheating assessments shall be submitted in writing and approved by the Local Planning Authority.

Reason: To safeguard the amenity of future occupiers and the general locality.

30. Hours of Construction

During the construction phase (including demolition and preparatory groundworks), no machinery shall be operated, no process shall be carried out, and no deliveries shall be taken at or dispatched from the site outside the following times:

- Monday-Friday 8.00-18.00
- Saturday 8.00-13.00

Nor at any time on Sundays, Bank or Public Holidays, unless otherwise agreed in advance in writing by the local planning authority.

Reason: To safeguard the amenity of future occupiers and the general locality.

31. Piling

No piling activities shall be carried out at this site until a full pile method statement has been submitted to and been 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.

Reason: To prevent nuisance being caused to residents of neighbouring property due to noise and vibration.

32. Noise from extract and odour treatment on commercial kitchens

No external plant or machinery shall be installed on any non-residential buildings unless and until details of the external plant and equipment have been submitted to and approved in writing by the local planning authority. The external plant and equipment shall be installed and operated in accordance with the approved details and maintained and operated in accordance with the approved scheme.

Reason: To safeguard the amenity of adjacent properties and the general locality

33. Noise from Commercial Premises

Prior to installation of any plant on any Class E Uses, a Noise Impact Assessment detailing noise from all fixed and mobile plant along with proposed mitigation measures shall be submitted in writing to the local planning authority. The noise assessment shall be in accordance with BS4142:2014+A1:2019 or any subsequent edition. The approved noise control scheme shall be implemented prior to the plant being brought into use and shall thereafter be maintained and operated in accordance with the approved scheme. Plant includes all air conditioning, heating, refrigeration and extraction equipment.

Reason: To safeguard the amenity of adjacent properties and the general locality

Flooding/Drainage

34. Flood Risk Analysis

No development in each phase shall commence until a detailed flood risk analysis has been submitted to, and approved in writing by, the local planning authority. The flood risk analysis shall include proposed finished floor levels of any buildings and proposed topographic landscaping to ensure that surface water and fluvial flood flows entering the site in a design flood/storm event, and any potential displacement of flood volumes, are appropriately managed with flood risk mitigated to both the proposed development and neighbouring property throughout its lifetime. This shall include floodplain compensation to a level for level, volume for volume standard, where such compensation is required. The flood risk analysis shall accord with the sustainable drainage and landscape strategies and shall be implemented in accordance with the approved details.

Reason: To ensure appropriate flood risk management having regard to adopted policy INF2 of the Joint Core Strategy (2017) and objectives A2 and C5 of the Golden Valley SPD.

35. Storage of Materials and Ground Works

There shall be no storage of any materials or raising of ground levels including soil within that part of the site liable to flood over the lifetime of the development as defined by the appropriate Design Flood Level which is the 1% Annual Exceedance Probability (AEP) including an appropriate allowance for the impacts of climate change.

Reason: To ensure that there will be no increased risk of flooding to other land/properties due to impedance of flood flows and/or reduction of flood storage capacity.

36. Sustainable Drainage System

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 (Northern Package Drainage Design Sheet 1 of 2; NPR-BHE-XX-XX-SE-C-96300-P04 and Northern Package Drainage Design Sheet 2 of 2; NPR-BHE-XX-XX-SE-C-96302-P02). The SuDS Strategy must include a detailed design and a timetable for implementation. The SuDS Strategy 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.

37. Management of Sustainable Drainage System

No phase of 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.

38. Construction Phase Surface Water Management Plan

No development in each phase shall commence on site until a Construction Phase Surface Water Management Plan has been submitted to and approved in writing by the local planning authority. The plan will outline what measures will be used throughout the period of the construction of the development to ensure surface water does not leave the site in an uncontrolled manner and put properties elsewhere at increased risk of flooding. The construction phase shall be implemented in accordance with the approved plans.

Reason: To ensure the construction phase of the development has a satisfactory means of drainage that does not increase the risk of flooding from the site.

39. Watercourses

Prior to the commencement of development in each phase, full details of all proposed watercourse enhancements (existing streams, ditches, and water bodies) including future management plans shall be submitted to and approved in writing by the local planning authority. The development shall be carried out and maintained in accordance with the approved details.

Reason: To positively integrate existing landscape assets, ensure a connective green blue network and enhance the existing water environment.

Highways

40. Local Road Network Capacity

No more than 200 dwellings and 500 sqm of commercial use hereby permitted (or any other combination of equal value) shall be occupied prior to the Main Works Contract for the 'M5 Junction 10 All Movements Improvement Scheme', or an alternative scheme that provides equal or greater benefit, has been signed and procured.

Reason: To manage and mitigate operational traffic impacts in the interest of the safe and efficient operation of the Local Road Network.

41. Strategic Road Network Capacity

No more than 382 dwellings and 500sqm of Class E floorspace hereby permitted shall be occupied unless or until the "M5 Junction 10 All Movements Improvement Scheme" is complete and is open to traffic.

Reason: To manage and mitigate operational traffic impacts in the interest of the safe and efficient operation of the Strategic Road.

42. Initial Site Access

Prior to the commencement of development, construction details of the indicative highway access works as shown on drawing PD43 Revision A – Proposed Compact Roundabout Site Access – Old Gloucester Road General Arrangement shall be submitted and approved in writing by the local planning authority. No part of the development shall be occupied until these Highways Works have been implemented in accordance with the approved drawings.

Reason: In the interest of highway safety and to encourage sustainable travel and healthy communities.

43. Active Travel

Prior to the commencement of development, construction details of the indicative active travel link works as shown on drawings:

- A. 205369-PD29 Rev I – Pilgrove Way and Grist Mill Close Improvements
- B. 205369-PD29.3 Rev I – Old Gloucester Road Pedestrian/Cycle Route (Viewport 2)
- C. 205369-PD29.4 Rev E – Old Gloucester Road Pedestrian/Cycle Route
- D. 205369-PD29.6 Rev B – Oldbury Road/ Princess Elizabeth Way Crossing
- E. 205369-PD29.7 Rev B – Hesters Way/ Princess Elizabeth Way Crossing
- F. 205369-PD31 Rev B – Hope Orchard Improvements
- G. 21185-009-P9 – Springbank Area Active Travel Measures (Site to Springbank Road and Ettington Close to Hesters Way Road Viewports)

shall be submitted and approved in writing by the local planning authority.

No part of Phase 2 (South) in the development shall be occupied until these Highways Works have been implemented in accordance with the approved drawings.

Reason: To encourage sustainable travel and healthy communities

44. Interim Bus Strategy

Alongside the submission of any reserved matters application involving the internal site layout, an Access and Movement strategy for bus movements and bus stop/shelter locations shall be submitted and approved in writing by the local planning authority in relation to the phased buildout. Prior to occupation of any dwelling in the development in any phase, the strategy will have been implemented for that phase in accordance with the approved document.

Reason: To encourage sustainable travel and healthy communities

45. Residential Travel Plan

Prior to first occupation in each phase, details of a residential travel plan shall be submitted to and approved in writing by the local planning authority. Prior to first occupation of each phase this travel plan shall be implemented in accordance with the approved details. The Travel Plan shall use Mode shift STARS residential to carry out this process and include mechanisms for monitoring and review over the life of the development and timescales for implementation.

Reason: To reduce vehicle movements and promote sustainable access.

46. TRO

Prior to the occupation of the development, the Traffic Regulation Order for amendments to speed limits along Old Gloucester Road as indicated on Drawing

PD44 shall be implemented in full.

Reason: To manage and mitigate operational traffic impacts in the interest of the safe and efficient operation of the Local Road Network

Odour

47. Implementation of Works

No more than 200 dwellings can be occupied within the development prior to the completion of the odour mitigation works (to be undertaken by a third party as per the Infrastructure Delivery Plan) which remove the primary school site from the 2.5 OU/m³ isopleth as shown in 'Odour impact assessment of Hayden WwTW' (Ref: WESTCHEL23A_Version_V6_FINAL). All such homes must fall outside of the 2.5 OU/m³ isopleth as shown in 'Odour impact assessment of Hayden WwTW' (Ref: WESTCHEL23A_Version_V6_FINAL).

Reason: To safeguard the future resident's amenity and health from current odour pollution.

48. Validation of Works

Upon completion of odour mitigation works at Hayden WwTW, and prior to the occupation of 201 dwellings, the 'Odour impact assessment of Hayden WwTW' (Ref: WESTCHEL23A_Version_V6_FINAL) must be updated to compare the assumptions made regarding odour mitigation works against monitored olfactometric sampling data. Providing the olfactometric sampling results do not change the conclusions of the odour impact assessment, further construction of the development(s) can commence, up to the post-mitigation (amended) 2.5 OU/m³ isopleth. The results of the new olfactometric sampling, alongside details of the completed odour mitigation works, must be submitted to and agreed by the local planning authority prior to occupation of dwellings, except those excluded by Condition 49 above. If olfactometric sampling results suggest that any development areas previously deemed acceptable for their end-uses are no longer acceptable (i.e. odour concentrations would remain above 2.5 OU/m³ following the odour mitigation works), a report detailing further odour assessment(s), further abatement at the WwTW, and/or the redesigning of the development shall be submitted to and agreed by the Local Planning Authority prior to occupation of dwellings, except those excluded by Condition 49 above.

Reason: To safeguard the future resident's amenity and health from current odour pollution.

49. Energy Supply

No dwelling or commercial building hereby permitted shall be connected to mains gas supplies.

Reason: To ensure that the development contributes towards the mitigation of climate change.

INFORMATIVES

Works on the Public Highway

The development hereby approved includes the carrying out of work on the adopted highway. You are advised that before undertaking work on the adopted highway you must enter into a highway agreement under Section 278 of the Highways Act 1980 with the County Council, which would specify the works and the terms and conditions under which they are to be carried out. Contact the Highway Authority's Legal Agreements Development Management Team at highwaylegalagreements@gloucestershire.gov.uk allowing sufficient time for the preparation and signing of the Agreement. You will be required to pay fees to cover the Councils costs in undertaking the following actions:

- i. Drafting the Agreement
- ii. A Monitoring Fee
- iii. Approving the highway details
- iv. Inspecting the highway works.

Planning permission is not permission to work in the highway. A Highway Agreement under Section 278 of the Highways Act 1980 must be completed, the bond secured and the Highway Authority's technical approval and inspection fees paid before any drawings will be considered and approved.

Traffic Regulation Order (TRO)

You are advised that multiple Traffic Regulation Orders (TRO) are required to introduce the development and off-site improvements proposed. You must submit a plan to scale of an indicative scheme for a TRO, along with timescales for commencement and completion of the development. Please be aware that the statutory TRO process is not straight forward, involving advertisement and consultation of the proposal(s). You should expect a minimum of six months to elapse between the Highway Authority's TRO Team confirming that it has all the information necessary to enable it to proceed and the TRO being advertised. You will not be permitted to implement the TRO measures until the TRO has been sealed, and we cannot always guarantee the outcome of the process. We cannot begin the TRO process until the appropriate fee has been received. To arrange for a TRO to be processed contact the Highway Authority's Legal Agreements Development Management at highwaylegalagreements@gloucestershire.gov.uk The cost of implementing any lining, Team signing or resurfacing required by the TRO is separate to the TRO fees, which solely cover the administration required to prepare, consult, amend and seal the TRO.

Highway to be adopted

The development hereby approved includes the construction of new highway. To be considered for adoption and ongoing maintenance at the public expense it must be constructed to the Highway Authority's standards and terms for the phasing of the development. You are advised that you must enter into a highway agreement under Section 38 of the Highways Act 1980. The development will be bound by Sections 219 to 225 (the Advance Payments Code) of the Highways Act 1980. Contact the Highway Authority's Legal Agreements Development Management Team at highwaylegalagreements@gloucestershire.gov.uk

You will be required to pay fees to cover the Councils cost's in undertaking the following actions: I. Drafting the Agreement II. Set up costs III. Approving the highway details IV. Inspecting the highway works You should enter into discussions with statutory undertakers as soon as possible to coordinate the laying of services under any new highways to be adopted by the Highway Authority. The Highway Authority's technical approval inspection fees must be paid before any drawings will be considered and approved. Once technical approval has been granted a Highway Agreement under Section 38 of the Highways Act 1980 must be completed and the bond secured.

Impact on the highway network during construction

The development hereby approved and any associated highway works required, is likely to impact on the operation of the highway network during its construction (and any demolition required). You are advised to contact the Highway Authorities Network Management Team at Network&TrafficManagement@gloucestershire.gov.uk before undertaking any work, to discuss any temporary traffic management measures required, such as footway, Public Right of Way, carriageway closures or temporary parking restrictions a minimum of eight weeks prior to any activity on site to enable Temporary Traffic Regulation Orders to be prepared and a programme of Temporary Traffic

Management measures to be agreed.

IMPORTANT: BIODIVERSITY NET GAIN CONDITION - DEVELOPMENT CANNOT COMMENCE UNTIL A BIODIVERSITY GAIN PLAN HAS BEEN SUBMITTED (AS A CONDITION COMPLIANCE APPLICATION) TO AND APPROVED BY The Local Planning Authority.

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 in writing. There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. 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 are considered to apply. If the onsite habitats include irreplaceable habitats (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitats) Regulations 2024) there are additional requirements for the content and approval of Biodiversity Gain Plans. Advice about how to prepare a Biodiversity Gain Plan and a template can be found at <https://www.gov.uk/guidance/submit-a-biodiversity-gain-plan>

General Protected Species

Please note that this consent does not override the statutory protection afforded to species protected under the terms of the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2017 (as amended), the Protection of Badgers Act 1992 and the Wild Mammals Act 1996. If a protected species (such as any bat, great crested newt, dormouse, badger, reptile, barn owl or any nesting bird) is discovered using a feature on site that would be affected by the development or related works all activity which might affect the species at the locality should cease. You should then seek the advice of a suitably qualified and experienced ecologist and consider the need for a licence from Natural England prior to commencing works. This action is necessary to avoid possible prosecution and ensure compliance with the Wildlife & Countryside Act 1981 (as amended), the Conservation of Habitats and Species Regulations 2017 (as amended), the Protection of Badgers Act 1992 and the Wild Mammals Act 1996. This advice note should be passed on to any persons or contractors carrying out the development/works.

Bat Advice Note

If a bat or evidence of bats using a feature on site is discovered prior to or during development all work should stop immediately. A licensed bat consultant or Natural England must be contacted and works implemented only in accordance with methods advised by them. This advice note should be provided to any persons/contractors carrying out the development along with the contact details of a relevant ecological consultant.

This action is necessary to avoid possible prosecution and ensure compliance with the Wildlife & Countryside Act 1981 (as amended), The Conservation of Habitats and Species Regulations 2017. This advice note should be passed on to any persons/contractors carrying out the development.

If bats or evidence of bats is found at any stage of development, the applicant is advised to follow the advice of a professional ecologist or to contact the UK Bat Helpline on 0345 1300 228 (homeowners and churches).