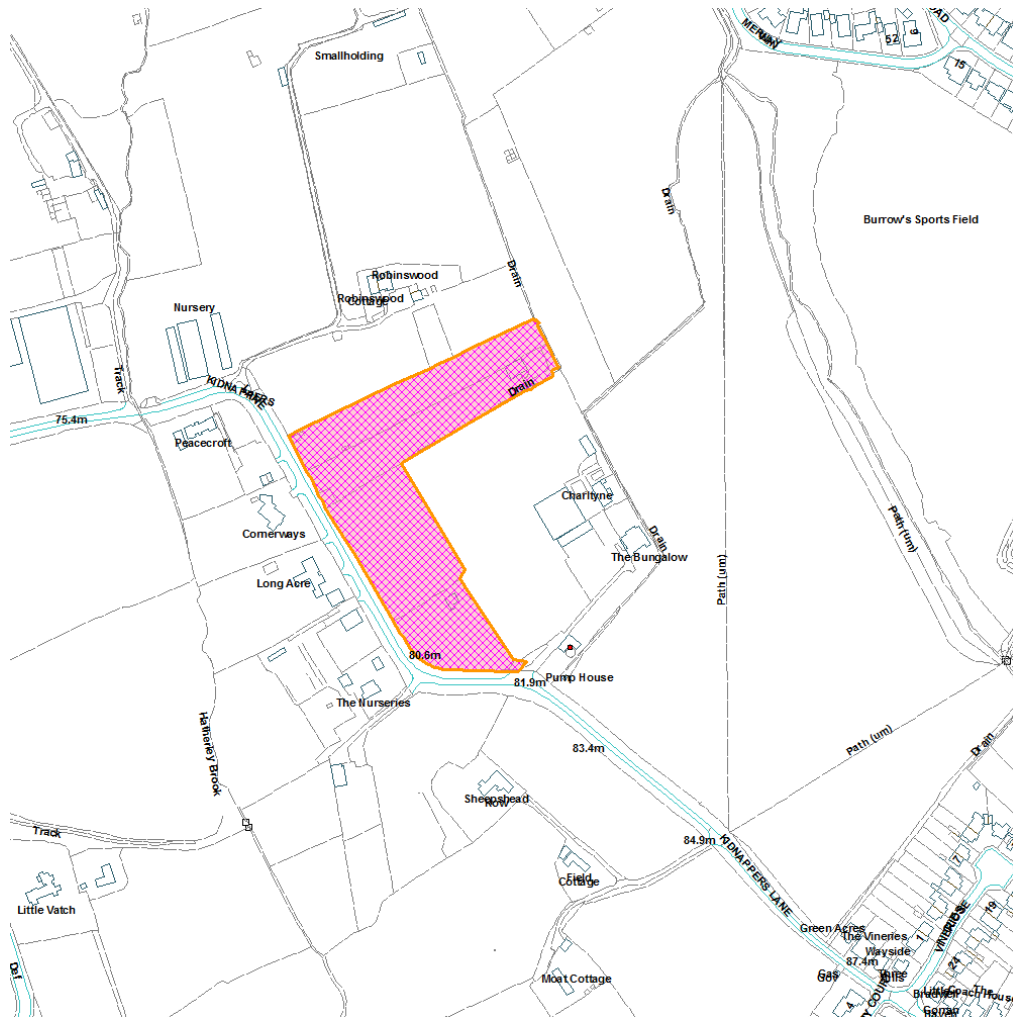


APPLICATION NO: 25/01073/FUL		OFFICER: Michelle Payne	
DATE REGISTERED: 10th July 2025		DATE OF EXPIRY: 9th October 2025 (extension of time agreed until 31st July 2026)	
DATE VALIDATED: 10th July 2025		DATE OF SITE VISIT:	
WARD: Leckhampton		PARISH: Leckhampton with Warden Hill	
APPLICANT:	Newland Homes Ltd		
AGENT:	N/A		
LOCATION:	Land 1 Off Kidnappers Lane Cheltenham		
PROPOSAL:	Residential development of 21no. zero carbon dwellings with associated access and internal roads, parking, landscaping, and other associated works and infrastructure.		

RECOMMENDATION: Permit subject to conditions and s106 agreement



This site map is for reference purposes only. OS Crown Copyright. All rights reserved Cheltenham Borough Council 100024384 2007

1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The site comprises a 1.74 hectare, L-shaped parcel of land and is located to the south of Cheltenham outside of the Principal Urban Area (PUA), on the eastern side of Kidnappers Lane. The site wraps around the north and western boundaries of a site recently developed for housing by the applicant; outline planning permission (19/00334/OUT) for up to 25 dwellings having been granted on appeal in March 2020. A subsequent reserved matters application (21/00847/REM) for 22 houses was approved in January 2022. More recently, planning permission (22/00535/FUL) was granted for an additional 5 houses on an adjoining parcel of land.
- 1.2 Residential properties and a children's day nursery are located on the opposite side of Kidnappers Lane, with an additional 13no. dwellings currently being built out by the applicant on 'The Nurseries' site to the south-west (22/02205/FUL). Leckhampton High School lies beyond and forms part of the wider MD4 allocation for mixed-use development within the Cheltenham Plan. The remainder of the allocated site to the north of Kidnappers Lane is currently being developed for housing by Miller Homes; planning permission (20/01788/FUL) for 350 new homes having been granted on appeal in February 2024.
- 1.3 A large parcel of land to the north, south and east of the site is designated Local Green Space.
- 1.4 The applicant, Newland Homes Ltd, seeks full planning permission for a residential development of the site comprising 21no. zero carbon dwellings with associated access and internal roads, parking, landscaping, and other associated works and infrastructure. The scheme includes a 40% provision of affordable dwellings (8 units). The application has been submitted following an earlier pre-application enquiry. The applicant also sought highways pre-application advice from the County Council.
- 1.5 Revised plans have been submitted during the course of the application, and these are discussed in the report below.
- 1.6 In addition to drawings, the application has been accompanied by a number of detailed reports and statements some of which have been revised/addended during the course of the application; all of the documents have been published on the Council's website (and marked superseded where appropriate).
- 1.7 The application is before the Planning Committee at the request of Cllr Horwood whose request is copied below; additional comments from Cllr Horwood can be found in the Consultations Appendix at the end of the report:

I would like to call this application in to committee please.

*This is because it is a very significant development for Leckhampton and for the reasons given in ***** email below.*

He is correct by the way that the May meeting with the parish council was in the form of a presentation at full council (actually 14 May not 16 May) with an informal discussion and was not a formal decision-making meeting. The PC planning committee to consider this application is taking place on 31 July.

****** is quite right that this development is very relevant to policies in the emerging Neighbourhood Plan for Leckhampton and Warden Hill which is now at examination stage and should therefore be given very significant weight. Policies LWH5 on valued landscape is relevant as he says, but Policy LWH4 on green infrastructure and the related Appendix specifically identifies the land in question as including important green infrastructure even if development proceeds, and also*

Policy LWH1 on community facilities which affects this development as sufficiently far from any other community facilities and therefore obliged to include some in their development.

So this is an important test case for the application of Neighbourhood Plan policies and I would want to see these fully briefed to committee members and fully considered by them at full committee.

1.8 The application is also objected to by the parish council, principally in relation to the two access points proposed; their full comments can also be read in the Consultations Appendix.

1.9 Members will have the opportunity to visit the site on planning view.

2. CONSTRAINTS AND PLANNING HISTORY

Constraints:

None

Planning History:

23/01870/PREAPP

CLOSED

18th March 2024

Residential development for around 21 dwellings, associated infrastructure, open space and landscaping

3. POLICIES AND GUIDANCE

National Planning Policy Framework 2024 (NPPF)

Section 2 Achieving sustainable development

Section 4 Decision-making

Section 5 Delivering a sufficient supply of homes

Section 8 Promoting healthy and safe communities

Section 9 Promoting sustainable transport

Section 11 Making effective use of land

Section 12 Achieving well-designed places

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

Section 15 Conserving and enhancing the natural environment

Adopted Cheltenham Plan 2020 (CP) Policies

D1 Design

L1 Landscape and Setting

SL1 Safe and Sustainable Living

GI2 Protection and Replacement of Trees

GI3 Trees and Development

Adopted Joint Core Strategy 2017 (JCS) Policies

SD3 Sustainable Design and Construction

SD4 Design Requirements

SD6 Landscape

SD7 The Cotswolds Area of Outstanding Natural Beauty

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

Supplementary Planning Guidance/Documents

Development on Garden Land and Infill Sites in Cheltenham (2009)
Cheltenham Climate Change SPD (2022)

Leckhampton with Warden Hill Neighbourhood Plan (LWHNP) Policies

LWH1 Grocery Shops and Community Facilities

LWH2 Local Sustainable Transport Priorities

LWH3 Green Infrastructure

LWH5 Protection of dwellings against Future Flooding and Climate Change

Note: A referendum relating to the adoption of the Leckhampton with Warden Hill Neighbourhood Plan was held on 7th May 2026. The plan was approved and it is now part of the statutory development plan and carries full weight in decision making.

4. CONSULTATIONS

See Consultations Appendix at end of report

5. PUBLICITY AND REPRESENTATIONS

- 5.1 Letters of notification were sent to 43 neighbouring properties. In addition, a site notice was posted and an advert published in the Gloucestershire Echo.
- 5.2 21 representations have been received in response to the publicity; one general comment and 20 objections.
- 5.3 The representations have been circulated in full to members, but the main objections relate to:
 - Impacts on wildlife and destruction of natural habitat
 - Loss of green space
 - Insufficient school places
 - Lack of facilities / infrastructure
 - Highway safety / increase in traffic
 - Air pollution
 - Poor road surface / lack of repairs
 - Poor engagement with local community
 - Loss of amenity in terms of privacy and noise
 - Visual impacts
 - Loss of hedgerow / trees
 - Impact on valued landscape
 - Ridge heights
 - Already too much development in the immediate area
 - Drainage / foul water and smells
 - Design
 - Impacts during construction
- 5.4 The applicant also undertook their own consultation exercise prior to the submission of the application, and the application is accompanied by a detailed Statement of Community Involvement (SCI). The SCI sets out that in April 2025, a letter and 4-sided leaflet was sent to 40 addresses within the vicinity of the site, including those properties within Pear Tree Close and Kidnappers Lane; contact details were included to allow for comments/questions. A meeting also took place on 16th May 2025 with members of the parish council.

6. OFFICER COMMENTS

6.1 Determining issues

6.1.1 The key issues in determining this application are:

- the principle of developing the site for housing;
- design and layout;
- sustainability and climate change;
- landscape impacts;
- access, parking and highway impacts;
- impact on the amenity of neighbouring land users;
- drainage and flooding;
- trees and landscaping;
- ecology and biodiversity net gain; and
- s106 obligations.

6.2 Policy Background / Principle of Development

6.2.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that applications for development must be determined in accordance with the development plan, unless material considerations indicate otherwise. This is reiterated in NPPF paragraph 48.

6.2.2 For Cheltenham, the development plan comprises the saved policies of the Cheltenham Borough Local Plan Second Review 2006 (CBLP), adopted policies of the Cheltenham Plan 2020 (CP), adopted policies of the Tewkesbury, Gloucester and Cheltenham Joint Core Strategy 2017 (JCS) and the new Leckhampton with Warden Hill Neighbourhood Plan 2026 (LWHNP) policies. Material considerations include the National Planning Policy Framework 2024 (NPPF), Planning Practice Guidance (nPPG).

6.2.3 Paragraph 11 of the NPPF sets out a presumption in favour of sustainable development which in decision-taking means:

- c) *approving development proposals that accord with an up-to-date development plan without delay; or*
- d) *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] 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 [the] 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.*

6.2.4 Paragraph 11d) was explicitly updated in the latest revision to the NPPF to direct developments to sustainable locations, make an effective use of land, and ensure the provision of affordable homes.

6.2.5 JCS policy SD10 advises that in Cheltenham housing development will be permitted at sites allocated for housing through the development plan, on previously developed land within the PUA, or where it is infilling within the PUA.

6.2.6 As previously noted in the introduction, this site is located outside of the PUA and therefore the proposed development would be contrary to policy SD10. However, officers consider that the comments made by the Planning Inspector in relation to the development on the adjacent site following a Public Inquiry in 2020 (Appeal Ref: APP/B1605/W/19/3238462) remain largely applicable in this case. The Planning Inspector being satisfied that the appeal site offered a suitable and accessible location that could accommodate housing development of the scale proposed, and a number of residential developments have since been supported nearby.

6.2.7 More importantly, in Cheltenham, the housing policies (those most relevant to this application) are out-of-date as the Council is currently unable to demonstrate a five-year supply of deliverable housing sites (the latest published figure in September 2025 being just 2.69 years); the 'tilted balance' in favour of granting permission is therefore engaged.

6.2.8 The proposed development would result in the welcome provision of an additional 21 housing units (including 8 affordable homes) and make a valuable contribution to the borough's housing stock, helping to alleviate the acute shortfall. This is a matter that carries significant weight in the determination of this application.

6.2.9 The site is not the subject of any other designation that would preclude the development of the site for housing and therefore officers are satisfied that the general principle of developing the site for residential purposes is acceptable. That said, as per above-referenced NPPF paragraph 11(d) it is still necessary to assess whether policies within the NPPF that protect areas or assets of particular importance provide a strong reason for refusing the development proposed, or the adverse impacts of supporting the proposals would significantly and demonstrably outweigh the benefits, when assessed against NPPF policies taken as a whole.

6.3 Design and layout

6.3.1 Chapter 12 of the NPPF places great emphasis on the importance of design in decision making, and states at paragraph 131 that *"Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities"*.

6.3.2 Paragraph 135 of the NPPF requires decisions on planning applications to ensure that new developments *"will function well and add to the overall quality of the area...; are visually attractive...; are sympathetic to local character...including the surrounding built environment...whilst not preventing or discouraging appropriate innovation or change (such as increased densities); establish or maintain a strong sense of place...; optimise the potential of the site...; and create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users"*.

6.3.3 Local design requirements are set out in CP policy D1 and JCS policy SD4, with policy SD4 requiring development proposals to:

- respond positively to, and respect the character of, the site and its surroundings, and be of a scale, type, density and materials appropriate to the site and its setting;
- create clear and logical layouts;
- avoid or mitigate any potential disturbance, including visual intrusion, noise, smell and pollution;
- ensure that landscaped areas are of a high quality design;

- be designed to contribute to safe communities including reducing the risk of fire, conflicts between traffic and cyclists or pedestrians, and the likelihood and fear of crime;
- provide access for all potential users, including people with disabilities, and ensure the highest standards of inclusive design; and
- be designed to integrate, where appropriate, with existing development, and prioritise movement by sustainable transport modes.

6.3.4 Additional guidance of some relevance to this application can be found in the Council's SPD relating to development on garden land and infill sites, which sets out that various elements combine to create the character of an area and include grain, type of building, location of buildings within the block or street, plot widths and building lines.

6.3.5 The Design and Access Statement (DAS) which accompanies the application sets out how the layout evolved during the design process, acknowledging the constraints posed by the narrow width and shape of the site.

6.3.6 The site will be accessed from Kidnappers Lane in two places. The northern access will serve 13 dwellings including the 8 affordable units located in the northern corner of the site. A secondary access to the south will serve the remaining 8 market houses fronting Kidnappers Lane. In this regard, it is acknowledged that the affordable units are not distributed throughout the site, in a fully policy compliant manner; however, due to the constraints of the site, this location was considered to result in the most suitable layout overall. The clustering and location of the affordable units is also supported by the Housing Enabling (HE) team on this occasion.

6.3.7 The buildings proposed across the site range from single storey to two storeys, with some limited 1.5 storey development; and the general scale of the buildings is considered appropriate in this context and largely consistent with nearby developments. The variety of house types and heights provides for a range of interest in the individual dwellings while providing a common, semi-rural character. The scale of built form reduces to the north to respect the adjacent Local Green Space. Accommodation ranges from one bedroom bungalows to five bedroom houses.

6.3.8 From a design perspective, the houses have been designed to reflect the semi-rural character of the locality, and the recent developments on the nearby Nurseries site and in Pear Tree Close. Externally, the dwellings will be predominantly faced in red brick, with black weatherboarding (mounted both vertically and horizontally) and the occasional use of stone; together with slate grey windows and doors. A red roof tile is proposed to contrast with the grey roofing tile used in the Pear Trees development. Overall, officers are satisfied that the relatively simple but varied palette of materials will ensure that the development will have a character and identity of its own but achieve a coherent appearance and response to nearby developments. The dwellings have traditional pitched roofs, with the elevations articulated with contemporary window proportions and simple detailing. The Architects Panel concur with officers that the principle of development, site layout, and the design of the dwellings is acceptable.

6.3.9 The comments from HE in relation to the design and appearance of the affordable units, which were also raised as a late concern by the parish council have been duly noted; however, the approach reflects that previously agreed by the same officer on the earlier Pear Trees development, in which the market housing all incorporates some form of cladding which is not replicated on the affordable units. In response to the HE comments, the applicant has pointed out that *"smaller homes are typically adorned with fewer external features due to their physical limitations"*. On balance, officers are therefore satisfied that the same architectural language, materials, detailing, and primary use of brickwork throughout the whole development is sufficient, and it is not necessary to incorporate token elements of black cladding on the affordable units in order to support the proposal. It is also

notable that market housing plots 9, 11 and 12 do not incorporate black timber effect cladding.

6.3.10 Elsewhere within the site, to the northeast, SuDS infrastructure comprising a detention basin is proposed.

6.3.11 It is regrettable that the layout does not include linkage to the Pear Trees development; however, the applicant has advised that this development did not come forward at the same time as the Pear Tree Close development as the sites were/are owned by two separate landowners, independent of each other, and it wasn't anticipated that this parcel of land might later become available. As a result, Pear Tree Close was not designed to support a pedestrian link between the sites, and there is no opportunity to now do so.

6.4 Sustainability and climate change

6.4.1 In addition to the afore-mentioned design policies, JCS policy SD3 requires new development to be designed and constructed to maximise the principles of sustainability; with development proposals required to “*demonstrate how they contribute to the aims of sustainability*” and “*be adaptable to climate change in respect of the design, layout, siting, orientation...*”

6.4.2 JCS paragraph 4.4.11 goes on to advise that:

Before considering the use of renewable energy technologies the design of a development should first identify measures to reduce overall energy demand. This can include choice of building fabric and construction techniques, optimising solar gain, natural lighting and ventilation to reduce the need for space heating and/or cooling and lighting. Secondly, the design should include measures to use energy more efficiently such as increasing levels of insulation in walls, floors and roofs and improved air-tightness.

6.4.3 The Cheltenham Climate Change SPD also provides guidance on how applicants can successfully integrate a best-practice approach towards climate change and biodiversity into all new development proposals.

6.4.4 The policy and SPD reflect advice within the NPPF at paragraph 161 which states that:

The planning system should support the transition to net zero by 2050 and take full account of all climate impacts including overheating, water scarcity, storm and flood risks and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.

6.4.5 NPPF paragraph 164b) goes on to state that new development should be planned for in ways that “*can help to reduce greenhouse gas emissions, such as through its location, orientation and design. Any local requirements for the sustainability of buildings should reflect the Government's policy for national technical standards*”.

6.4.6 In this case, the application proposes net zero carbon homes across both the market and affordable housing provision. The DAS sets out that the “*Homes will be constructed to the latest construction techniques, utilising sustainably sourced materials and including renewables energy technologies.*” The homes will be heated by air source heat pumps coupled with solar PV panels, with the ground floors fitted with underfloor heating and the first floors fitted with radiators and individual thermostatic valves.

6.4.7 The homes will also include water butts for rainwater harvesting; integrated recycling bins as part of the kitchen design; composting facilities; electric vehicle charging points; cycle storage; and green roofs to the garages. SuDS infrastructure is also proposed.

6.4.8 Officers are therefore satisfied that, in this case, the sustainability credentials of the proposed development are wholly acceptable and go beyond the policy requirements, thereby helping Cheltenham to meet its 'climate emergency' commitment to become a net zero council and borough by 2030.

6.4.9 As such, the proposed development demonstrates full compliance with policy SD3, the SPD, and the NPPF. The proposals also accord with LWHNP policy LWH5.

6.5 Landscape impacts

6.5.1 NPPF paragraph 187 requires decisions on planning applications to “*contribute to and enhance the natural and local environment by: a) protecting and enhancing valued landscapes...[and] b) recognising the intrinsic character and beauty of the countryside...*”

6.5.2 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; and this is reiterated in CP policy L1.

6.5.3 Additionally, JCS policy SD7 requires all development proposals within the setting of the Cotswolds AONB “*to conserve and, where appropriate, enhance its landscape, scenic beauty, wildlife, cultural heritage and other special qualities*” and be consistent with policies set out in the Cotswolds AONB (now Cotswolds National Landscape) Management Plan (CNLMP).

6.5.4 The most relevant CNLMP policies in this regard are CE1 and CE11. Policy CE1 requires development proposals that are likely to impact on the landscape of the Cotswolds AONB, to have regard to the scenic quality of the location and its setting and ensure that views – including those into and out of the AONB – and visual amenity are conserved and enhanced. Policy CE11 goes on to advise that proposals for major development in the setting of the AONB must comply with national planning policy and guidance and have regard to guidance on major development provided in Appendix 9 of the CMP.

6.5.5 With regard to valued landscape, the Inspector in the 2024 appeal decision (APP/B1605/W/22/3309156) on the nearby Shurdington Road site currently being developed by Miller Homes, at paragraph 111, states:

The CP also designated much of the land to the south of the appeal site as Local Green Space ensuring that it is protected from development...and it is that I consider to be valued landscape at the current time.

6.5.6 It is therefore clear that the application site, which falls outside of the LGS designation, was not found to form part of the valued landscape. It must also be accepted that the landscape character of the surrounding area has significantly changed in recent years because of other nearby developments, not least as a result of the Pear Trees development, and Leckhampton High School; and continues to change as the Miller Homes development is being built out.

6.5.7 The Inspector in the 2020 appeal decision also rightly noted that the wider area would “*irrevocably change*” following the build out of the MD4 mixed-use allocation, and that as a result, the landscape and visual character of the immediate area would also inevitably alter; concluding that they found the overall harm to the local landscape to be moderate.

6.5.8 Additionally, the Inspector at paragraph 118 of the 2024 appeal decision, having observed the appeal site from the adjacent AONB, goes on to state that:

Beyond that I saw the school and the new development resulting from the 2019 appeal, and beyond that would be the proposed housing. As a result, it would nestle into and be viewed as part of existing development from the AONB.

6.5.9 Officers are therefore satisfied that the same can be said of the proposed development in terms of views from the AONB, in that the development would be viewed in the context of surrounding development.

6.5.10 Furthermore, views on the development of this site for housing were sought from our external Landscape Advisor, Ryder Landscape Consultants, at pre-application stage. The key findings were that although the proposed development would change the character of this stretch of Kidnappers Lane from semi-rurality to twin-sided urban development, it would have no notable effects on the wider landscape; this urban character not out of keeping with other recent development along Kidnappers Lane.

6.5.11 That said, it was acknowledged that built form would be introduced where it does not currently exist, and would remove scrub planting that is currently helping to screen the Pear Tree development, and so the form of the site boundary here would need to be carefully considered to maximise its screening value in the medium and long term.

6.5.12 It was also similarly found that there would be no significant visual effects from the AONB given the scale of the development and the immediate context of other new houses.

6.5.13 Overall, the proposed development is therefore considered to be in accordance with JCS policies SD6 and SD7, and CP policy L1 as it would not be harmful to the landscape character and appearance including the setting of the AONB.

6.6 Access, parking and highway safety impacts

6.6.1 JCS policy INF1 requires all development proposals to provide safe and efficient access to the highway network for all transport modes; and provide connections where appropriate, to existing walking, cycling and passenger transport networks to ensure that credible travel choices are provided by sustainable modes. The policy states that planning permission will only be granted where the impacts of the development are not considered to be severe. The policy generally reflects the advice set out within the NPPF at paragraphs 115-118. Similarly, LWHNP policy LWH2 seeks to improve walking and cycling connectivity throughout the neighbourhood area and promote sustainable travel.

6.6.2 As previously noted, the application proposes two vehicle access points from Kidnappers Lane; a primary access to serve 13 dwellings including the 8 affordable units, and a secondary access to serve the remaining 8 dwellings. Each dwelling would be served by allocated car parking space(s).

6.6.3 As originally submitted, from a highways perspective, the access, parking and highway safety impacts associated with the proposed development were assessed by the Highways Development Management Team (HDM) at the County Council, as the Local Highway Authority (LHA) acting in its role as statutory consultee, and no objection was raised subject to conditions; their full comments can be read in the appendix below.

6.6.4 In summary, HDM were initially satisfied that an appropriate level of visibility for both access points could be achieved, and that the predicted levels of traffic generated by the proposed development were unlikely to have a severe impact on the capacity of the local highway network; concluding that the development would not have an unacceptable impact on highway safety, and *“There are no justifiable grounds on which an objection could be maintained.”*

6.6.5 Notwithstanding the above, in response to discussions with Cllr Horwood, HDM subsequently revisited their advice and withdrew its earlier response and sought to engage with the applicant to improve the scheme. The concerns primarily related to the lack of a Stage 1 Road Safety Audit, and the provision of the main site access in the form of a bell mouth, unnecessarily interrupting the priority of pedestrians and cyclists.

6.6.6 A Stage 1 Road Safety Audit was later submitted, and following lengthy discussions with HDM, the External Works Layout drawing (891-141-2 Rev G) has been updated to include the following improvements:

- A widened footway on the eastern side of Kidnappers Lane across the site frontage to accommodate a shared 3m footway / cycle track including across the proposed access to plots 14 to 21;
- A full tie-in to the footway / cycle track to the south at the same width;
- A traffic calming feature (raised table) for the access into plots 14 to 21;
- A relocated informal crossing point adjacent to the principal site access;
- A new crossing point to the north of the principal site access suitable for pedestrians to access the existing shared facility on the other side of the road; and
- Appropriate changes to signage and road markings.

6.6.7 HDM, as the LHA, now raise no objection subject to conditions, satisfied *“that the proposals are fit for purpose and that they would result in improved accessibility and connectivity for this development.”*

6.6.8 A revised Stage 1 Road Safety Audit can be completed as part of the Highway Works Agreement under section 278 of the Highways Act 1980.

6.6.9 As such, whilst the concerns of Cllr Horwood and the parish council in relation to the provision of two separate accesses are duly noted, officers are satisfied that the proposed development is now acceptable on highway grounds; there is no reason or evidence to disagree with the specialist highways advice following such a thorough review.

6.6.10 During the construction phase of the development, to ensure that impacts on the local highway network are suitably mitigated, a condition is suggested which requires the submission of a Construction Traffic Management Plan to ensure that suitable provision is made for the parking of site operatives and visitors, storage of plant and construction materials, abnormal loads or unusually large vehicles and suitable wheel washing facilities, etc. together with a highway condition survey.

6.7 Impact on the amenity of neighbouring land users

6.7.1 CP policy SL1 states that development will only be permitted where it will not cause unacceptable harm to the amenity of adjoining land users and living conditions in the locality. CP paragraph 14.4 advising that:

In assessing the impacts of a development including any potential harm, the Council will have regard to matters including loss of daylight; loss of outlook; loss of privacy; and potential disturbance from noise, smells, dust, fumes, vibration, glare from artificial lighting, hours of operation, and traffic / travel patterns.

6.7.2 JCS policy SD14 reiterates this advice and also seeks to ensure high quality developments that *“protect and seek to improve environmental quality”*. In addition, NPPF paragraph 135f) also highlights the need to ensure that developments achieve a high standard of amenity for both existing and future users.

6.7.3 The concerns raised by the adjacent residential occupiers have been duly noted; however, officers are satisfied that the proposed development would not result in any unacceptable harm in terms of privacy, outlook or daylight.

6.7.4 Almost all development will have some impact on neighbouring land users. In this case, given the scale and massing of the proposed development, and its relationship with nearby residential neighbours, officers are satisfied that the proposed development would not result in any unacceptable level of harm in terms of privacy, outlook or daylight.

6.7.5 With regard to privacy, all upper floor windows are set a sufficient distance from the site boundaries (in excess of the 10.5m minimum distance normally sought) to ensure that no unacceptable overlooking of neighbouring properties would occur. Moreover, in terms of outlook, whilst views of the proposed development would be available from neighbouring properties and gardens, there are no concerns that the development would appear particularly overbearing, and certainly not to the point that permission could be refused on amenity grounds; views of the development would be softened by planting on the site boundaries. Similarly, officers are satisfied that no significant loss of daylight would occur, nor overshadowing of existing residential gardens.

6.7.6 Additionally, given the scale of development proposed, it is not considered that noise levels from future occupiers of the site would be detrimental to the enjoyment of the existing residential neighbours.

6.7.7 Some noise and disturbance during the construction phase of the development is inevitable and to be expected; however, this is not a reason to refuse development proposals. The developer will need to adhere to the Council's accepted hours for construction sites which are 7:30am to 6pm Monday to Friday, and 8am to 1pm on Saturdays, with no working on Sundays and/or Bank Holidays.

6.7.8 Overall, the proposed development is therefore considered to be acceptable on amenity grounds, and officers are satisfied that the development will achieve a suitably high standard of amenity for future occupiers, and existing residential neighbours, in accordance with CP policy SL1, JCS policy SD14 and the NPPF.

6.8 Drainage and flooding

6.8.1 JCS plan policy INF2 advises that development proposals must avoid areas at risk of flooding and must not increase the level of risk to the safety of occupiers of a site, the local community or the wider environment either on the site or elsewhere. Additionally, where possible, the policy requires new development to contribute to a reduction in existing flood risk; and to incorporate Sustainable Drainage Systems (SuDS) where appropriate. The policy is consistent with NPPF paragraph 181 which states that when determining planning applications, the local planning authority should ensure that flood risk is not increased elsewhere.

6.8.2 The site is located within Flood Zone 1, and the Environment Agency's online flood risk service advises that the surrounding area is at a very low risk of surface water flooding.

6.8.3 The application has been accompanied by a Flood Risk Assessment and Drainage Strategy (FRA) which has been reviewed by the County Council as the Lead Local Flood Authority (LLFA) who are a statutory consultee for surface water flood risk and management. Again, their comments can be read in full in the Consultations Appendix below.

6.8.4 Following their initial review of the application, the LLFA found that the surface water drainage strategy failed to meet many of the National Standards for Sustainable Drainage Systems, and it was therefore necessary for the failings to be addressed.

6.8.5 In response, the applicant has worked closely with the LLFA who, in their latest response, now confirm that they have no further objections to the proposal subject to conditions. The drainage strategy now complies with the National Standards.

6.8.6 Officers are therefore satisfied that the proposed development is acceptable in relation to flooding and drainage and is compliant with JCS policy INF2 and the relevant paragraphs of the NPPF. The proposals also accord with LWHNP policy LWH5.

6.9 Trees and landscaping

6.9.1 CP policy GI2 seeks to resist the unnecessary felling of trees on private land, and advises that a Tree Preservation Order (TPO) will be made in appropriate cases. and the planting of replacement trees, where practicable. CP policy GI3 seeks to ensure that development avoids causing permanent damage to trees of high value, i.e. sound and healthy trees which makes a significant contribution to the character or appearance of a site or locality.

6.9.2 In this regard, the proposals have been reviewed by the Trees Officer (TO) who also provided comments at pre-application stage.

6.9.3 At pre-application stage, the TO identified the tree stock on site to be “*of limited quality*”; a low-spreading candle-stick shaped ash within the border being “*the most interesting arboreal feature*”. However, the hawthorns along the hedge line were identified as being worth retaining wherever possible.

6.9.4 It is therefore somewhat surprising that the TO is now suggesting that the scale of development be reduced in order to retain more of the existing features. Although officers acknowledge that the removal of almost all of the trees from the site is regrettable; it is important to recognise that the trees are not afforded any protection, and are not of a quality to be worthy of a TPO, the TO continuing to find the trees on site to be “*individually of lower arboricultural value*”.

6.9.5 Overall, officers are therefore satisfied that the removal of trees to facilitate a residential development, whilst regrettable, is acceptable on balance, given the level of replacement tree planting and landscaping proposed throughout the site. In excess of 130no. new trees are proposed together with new native hedgerow planting. Existing hedgerow is to be retained where possible and gapped up.

6.10 Ecology and biodiversity net gain

6.10.1 JCS policy SD9 seeks to ensure that all development, wherever possible, makes a positive contribution to biodiversity and geodiversity, and that important habitats and species are protected. Where developers are unable to avoid harm to biodiversity, mitigation measures should be incorporated into the design of the development. The policy reflects the advice set out within the NPPF at paragraph 187.

6.10.2 A minimum biodiversity net gain (BNG) of 10% is now a statutory requirement for major developments, and the mandatory BNG condition is applicable to this development. The objective is for development to deliver at least a 10% increase in biodiversity value relative to the pre-development biodiversity value of the onsite habitat. The increase can be achieved through onsite biodiversity gains, registered offsite biodiversity gains or statutory biodiversity credits.

6.10.3 The application is accompanied by a Preliminary Ecological Appraisal (PEA), Reptile Survey, Landscape and Ecological Management Plan (LEMP) and Construction and Environmental Management Plan (CEMP) which have been updated where necessary; the documents have been reviewed by the Council’s in-house Ecologist or Consultant Ecologist over the course of the application.

Protected species

6.10.4 The PEA and Reptile Survey were initially reviewed by the former in-house Ecologist who was satisfied that the PEA suitably described the ecological features of the site and any necessary mitigation, and supported the results of the Reptile Survey; no additional information was sought other than by way of conditions. However, following subsequent review, additional information in relation to dormice and great crested newts was sought and received. The Ecologist is now satisfied that no additional detail is required other than by condition, and that protected species will not be harmed as a result of the development.

6.10.5 Ecological enhancements proposed as part of the development include the provision of 8no. bat boxes or equivalent roosting features, 20no. bird boxes, 1no. hibernacula, hedgehog homes and highways, and 2no. insect towers or similar. A 'wildlife-sensitive' lighting strategy can be suitably secured by condition.

Biodiversity Net Gain (BNG)

6.10.6 As previously noted, the mandatory biodiversity (net) gain (BNG) condition applies to this development and therefore a Biodiversity Gain Plan will be required to be submitted and agreed prior to commencement of any works.

6.10.7 In this instance, the applicant is seeking to achieve the necessary BNG "by alternative means, potentially a third party like GNCF [Gloucestershire Nature and Climate Fund]" so as to maximise the land available on site; and, whilst this is disappointing, the purchase of off-site biodiversity units from a suitable provider offsite is supported by the Council's Ecologist. Evidence of proof of purchase of 8.45 habitat units would be required.

6.10.8 The proposal provides 109.58% net change for hedgerows which is welcomed and considered a significant gain. A legal agreement will be required to secure £3,422.00 in monitoring fees for a small site low complexity habitat.

6.10.9 As the proposals are deemed to be 'significant' gains in biodiversity according to guidance provided by the Department for Environment, Food & Rural Affairs (DEFRA) (2024), a s106 will also be required to secure the delivery of the measures outlined in a Habitat Management and Monitoring Plan (HMMP) to be submitted post-determination.

6.10.10 A detailed soft landscaping scheme has been submitted.

Cotswold Beechwoods Special Area of Conservation (SAC)

6.10.11 The site lies within a zone of influence as set out in the Cotswold Beechwoods SAC Recreation Mitigation Strategy (May 2022) for recreational pressure for the Cotswold Beechwoods SAC. The Council, as a "competent authority", has a legal duty under the Conservation of Habitats and Species Regulations 2017 (as amended) to consider whether planning applications would affect the biodiversity of any Special Area of Conservation (SAC). Planning applications can only be permitted where the proposals will not adversely affect the integrity of the SAC.

6.10.12 To help ensure a strategic approach for mitigating recreational impacts at the Cotswold Beechwoods SAC, local authorities in the area and Natural England worked together to prepare a Recreation Mitigation Strategy (2022).

6.10.13 CP policy BG1 also relates to the Cotswold Beechwoods Special Area of Conservation (SAC) and states that development will not be permitted where it would be likely to lead directly or indirectly to an adverse effect upon the integrity of the European Site Network and the effects cannot be mitigated. All development within the borough that leads to a net increase in dwellings is required to mitigate any adverse effects.

6.10.14 Without appropriate mitigation, the proposed development would be likely to have a significant effect on the Cotswold Beechwoods SAC (either alone or in combination with other development) through increased recreational pressure, as a result.

6.10.15 The Council has therefore undertaken an Appropriate Assessment and is satisfied that subject to the applicant making a financial contribution of £673 per new dwelling, in line with the mitigation strategy, the proposal will not result in any adverse impacts on the SAC. Natural England have been consulted and concur with the assessment conclusions.

6.10.16 The financial contribution would be secured through the legal agreement.

6.11 s106 obligations

Affordable housing

6.11.1 Paragraph 61 of the NPPF states that to support the government's objective of significantly boosting the supply of homes, it is important that the needs of groups with specific housing requirements be addressed. Within this context, paragraph 63 goes on to state that the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies.

6.11.2 In Cheltenham, outside of Strategic Allocation sites, JCS policy SD12 seeks the provision of a minimum of 40% affordable housing in new residential developments of 11 dwellings or more.

6.11.3 In this case, as previously noted, the applicant is proposing a policy compliant scheme to include 8 affordable homes, and the affordable housing provision is welcomed.

6.11.4 The affordable housing provision has been amended during the course of application in liaison with the Council's Housing Enabling Officer, whose detailed comments are set out in full in the Appendix below. Notwithstanding their residual concerns in relation to a lack of black cladding on the affordable units, previously discussed at paragraph 6.3.9 above, the improvements to the sizes and mix of the affordable units is supported.

6.11.5 The agreed affordable housing mix comprises 6no. social rented homes, and 2no. shared ownership homes.

Education and libraries

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

6.11.7 In addition, JCS policy INF7 advises that financial contributions will be sought through the s106 and CIL mechanisms as appropriate. The s106 mechanism being used to secure site-specific obligations.

6.11.8 Gloucestershire County Council have commented on the proposed development and set out the infrastructure and services requirements for education and libraries provision arising from the development and the contributions required to make the development acceptable in planning terms.

6.11.9 The single contribution sought by the County is **£77,551.67** towards secondary education (ages 11-16). Contributions towards primary education and post-16 education

are not sought as there is adequate space capacity forecast to be available. No library contribution is sought as the proposed development does not meet the threshold for a library assessment.

6.11.10 The necessary contribution is required to be secured via the s106 agreement as there are no formal mechanisms or agreed financial arrangements currently in place between CBC (as CIL Charging Authority) and GCC to fund the required strategic (education and libraries) infrastructure from CIL.

Highways

6.11.11 The following Highways contribution is also required:

(1) Specific Purpose - Travel Plan Monitoring Fee
Contribution – **£10,000.00**
Trigger – Prior to occupation
Retention Period – N/A

Cotswold Beechwoods Special Area of Conservation (SAC)

6.11.12 As previously noted, financial contributions to mitigate recreational impacts on the SAC would be secured at a rate of £673 per dwelling (**£14,133.00**).

Green Space

6.11.13 Although no play provision is proposed on-site, which the Green Space Development team find acceptable given the size of the development, financial contributions will be sought towards the improvement of nearby off-site play facilities to accommodate the increased usage (LAP **£1,575.00** and LEAP **£9,870.00**) and a MUGA (**£8,610**).

Biodiversity Net Gain (BNG)

6.11.14 Other obligations to be secured via the s106 agreement include the delivery of BNG and measures outlined in a Habitat Management and Monitoring Plan (HMMP), and the small site low complexity habitat monitoring fee of **£3,422.00**.

6.12 Other considerations

Community facilities

6.12.1 LWHNP policy LWH1 seeks to resist new residential development on sites larger than 1 hectare “*unless suitable local grocery shop provision exists or is to be provided within 800 metres of the development site subject to viability and site-specific considerations.*” Figure 6 within the ‘Leckhampton with Warden Hill Neighbourhood Plan – Referendum Version March 2026’ shows those part of the Neighbourhood Area that are not served by shops within 800m, and the application site falls within this area. However, that said, the site is located just outside the 800m radius of both the Co-op on Salisbury Avenue, and the Co-op on Bath Road, with both being within a 20-minute walk of the site.

6.12.2 Moreover, it is important to note that the recent residential developments on nearby sites were not required to provide a convenience store; and taking the site-specific considerations into account, the provision of a convenience store on this site would prejudice the ability to develop the site for housing and likely result in unacceptable highway and amenity impacts.

6.12.3 As such, on balance, notwithstanding the apparent conflict with the neighbourhood plan, officers are satisfied that a local convenience store is not required to make this development acceptable in planning terms.

Minerals and Waste

6.12.4 The conditions suggested by the GCC Minerals and Waste team have been added.

Crime prevention

6.12.5 In response to the Designing Out Crime Officer's (DOCO) comments in the Consultations Appendix below, the applicant has provided clarification on the gated corridor to the rear of plots 1-9, advising that the corridor is required *"to facilitate the location of the foul drainage due to the ground levels. It cannot reside within private ownership. Access is only afforded via a locked gate. The space will be maintained and accessed solely by the approved management company and adopted sewerage undertaker."* On the whole, the DOCO does not consider any changes to the overall layout and design to be necessary in relation to crime prevention.

Public Sector Equality Duty (PSED)

6.12.6 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:

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

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

6.12.8 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. All representations received in response to the publicity exercise have been duly noted and taken into account.

7. CONCLUSION AND RECOMMENDATION

7.1 Planning law requires that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise.

7.2 Furthermore, paragraph 11 of the National Planning Policy Framework 2024 sets out a presumption in favour of sustainable development which in decision-taking means:

c) approving development proposals that accord with an up-to-date development plan without delay; or

d) 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] 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 [the] Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.

- 7.3 In Cheltenham, the housing policies (those most relevant to this application) are out-of-date as the Council is currently unable to demonstrate a five-year supply of deliverable housing sites, the latest published figure (September 2025) being just 2.69 years, and as such the 'tilted balance' in favour of granting permission is engaged.
- 7.4 The proposed development would result in the welcome provision of an additional 21no. dwellings including 8no. affordable units and make a valuable contribution to the borough's housing stock, helping to alleviate the acute shortfall. This is a matter that carries significant weight in the determination of this application. Accommodation across the site ranges from one bedroom bungalows to five bedroom houses, with the agreed affordable housing mix comprising 6no. social rented homes, and 2no. shared ownership homes.
- 7.5 The site will be accessed from Kidnappers Lane in two places. The northern access will serve 13no. dwellings including the 8no. affordable units located in the northern corner of the site. A secondary access to the south will serve the remaining 8no. market houses fronting Kidnappers Lane.
- 7.6 The application proposes the erection of net zero carbon homes, which are up to two storeys, with the scale of built form reducing to the north to respect the adjacent Local Green Space. The dwellings have simple, traditional pitch-roof built forms, with the elevations articulated by contemporary window proportions and simple detailing; and have been designed to reflect the semi-rural character of the locality and recent developments on the nearby Nurseries site and in Pear Tree Close. Externally, the dwellings will be predominantly faced in red brick, with black weatherboarding and the occasional use of stone; together with slate grey windows and doors; the simple palette of materials will ensure that the development will have an identity of its own but achieve a coherent appearance and response to nearby developments.
- 7.7 As noted above, the application proposes net zero carbon homes across both the market and affordable housing provision. The homes will be constructed to the latest construction techniques, utilising sustainably sourced materials, and be heated by air source heat pumps coupled with solar PV panels. The homes will also include water butts for rainwater harvesting; integrated recycling bins; composting facilities; electric vehicle charging points; and cycle storage. Officers are therefore satisfied that, in this case, the sustainability credentials of the proposed development are wholly acceptable and go beyond the policy requirements, thereby helping Cheltenham to meet its 'climate emergency' commitment to become a net zero council and borough by 2030.
- 7.8 From a highways perspective, the access, parking and highway safety impacts associated with the proposed development have been assessed by the GCC Highways Development Management Team (HDM), as the Highway Authority acting in its role as statutory consultee. HDM have undertaken a very thorough review of the proposals and raise no objection subject to conditions, and following revisions to the original submission are satisfied *"that the proposals are fit for purpose and that they would result in improved accessibility and connectivity for this development"*.
- 7.9 Impacts on the local highway network during the construction phase of the development can be mitigated by the submission of a Construction Traffic Management Plan to ensure that suitable provision is made for the parking of site operatives and visitors, storage of plant

and construction materials, abnormal loads or unusually large vehicles and suitable wheel washing facilities, etc. together with a highway condition survey.

- 7.10 The site is located within Flood Zone 1, and the Environment Agency's online flood risk service advises that the surrounding area is at a very low risk of surface water flooding. The application has been accompanied by a Flood Risk Assessment and Drainage Strategy which has been reviewed by the County Council as the Lead Local Flood Authority (LLFA) who are a statutory consultee for surface water flood risk and management.
- 7.11 Having worked closely with the LLFA, the applicant has addressed initial failings in the surface water drainage strategy, and the LLFA now raise no objection subject to conditions. As revised, the drainage strategy complies with the National Standards.
- 7.12 The application is accompanied by a Preliminary Ecological Appraisal (PEA), Reptile Survey, Landscape and Ecological Management Plan (LEMP) and Construction and Environmental Management Plan (CEMP) which have been updated/revised where necessary; the documents have been reviewed by the Council's in-house Ecologist or Consultant Ecologist over the course of the application, and the ecological impacts of the proposed development have been found to be acceptable subject a number of conditions. Ecological enhancements proposed as part of the development include the provision of bat and bird boxes, a hibernacula, hedgehog homes and highways, and insect towers or similar.
- 7.13 A minimum biodiversity net gain (BNG) of 10% is now a statutory requirement for major developments, and the mandatory BNG condition is applicable to this development; a Biodiversity Gain Plan would therefore be required to be submitted and agreed prior to commencement of any works. To maximise the land available on site, the applicant is proposing to purchase off-site biodiversity units from a suitable provider, and this is supported by the Council's Ecologist. Evidence of proof of purchase of 8.45 habitat units would be required. 6.10.8 The proposal provides 109.58% net change for hedgerows which is welcomed and considered a significant gain.
- 7.14 With all of the above in mind, taking into account all of the economic, social, and environmental aspects of the application, and paragraph 11d) of the NPPF, on balance, officers are satisfied that the proposed development of the site for housing is one that should be supported. There are no policies within the NPPF that provide a strong reason for refusing the development proposed, nor any adverse impacts that would significantly and demonstrably outweigh the benefits, when assessed against NPPF policies taken as a whole.
- 7.15 As such, the officer recommendation is to grant planning permission subject to a signed s106 legal agreement, and the schedule of conditions below. The applicant's written agreement to the terms of the pre-commencement conditions has been secured.

8. CONDITIONS

- 1 The planning permission hereby granted shall be begun not later than the expiration of three years from the date of this decision.
- Reason: To accord with the provisions of Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 The planning permission hereby granted shall be carried out in accordance with the approved plans listed in Schedule 1 of this decision notice.
- Reason: For the avoidance of doubt and in the interests of proper planning.

- 3 The development shall be carried out in strict accordance with the recommendations set out in Section 6 of the Reptile Survey Report (All Ecology, Version 1.1, dated 29th April 2025); the Preliminary Ecological Appraisal (All Ecology, Version 1.1, dated 29th April 2025) including plans; the revised Landscape and Ecological Management Plan (All Ecology, Version 1.2, dated 5th November 2025) including plans; and the revised Construction and Environmental Management Plan (All Ecology, Version 1.2, dated 20th May 2026). All recommendations shall be implemented in full, according to the timescales laid out in the recommendations, unless otherwise agreed in writing by the Local Planning Authority, and thereafter permanently maintained for the stated purposes of biodiversity conservation.

Reason: To ensure that habitats and species are protected in accordance with The Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife and Countryside Act 1981 (as amended), Circular 06/2005, 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.

- 4 If the development hereby approved has not commenced within 18 months of the date of this decision, an updated ecological survey shall be carried out by a suitably qualified ecological consultant and shall be submitted to and approved in writing by the Local Planning Authority. The Survey Report shall conclude whether the Ecological Mitigation and Enhancement Strategy/Precautionary Method of Working/CEMP and Reptile Surveys should be updated and, if so, the reports shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any works.

The development shall then be undertaken in full accordance with the approved Ecology report/EMES/PMW/CEMP.

Reason: To ensure that species and habitats are protected in accordance with The Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife and Countryside Act 1981 (as amended), Circular 06/2005, 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.

- 5 Prior to the commencement of development, a Construction Traffic Management Plan (CTMP) shall be submitted to and approved in writing by the Local Planning Authority. The plan shall include:
- (a) parking of vehicles of site operatives and visitors ((including measures taken to ensure there is no parking on the public highway by either staff or delivery vehicles at any time and ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction);
 - (b) advisory routes for construction traffic;
 - (c) any temporary access to the site;
 - (d) locations for the loading/unloading and storage of plant, waste, and construction materials;
 - (e) suitable wheel washing facilities within the site to ensure that no mud, dust or other loose material is carried from the site onto the public highway at any time (any such facility shall be positively drained to a suitable outfall to ensure no surface water runs away from the facility);
 - (f) arrangements for turning vehicles;
 - (g) arrangements to receive abnormal loads or unusually large vehicles;
 - (h) a highway condition survey (in accordance with an agreed area of survey); and
 - (i) methods of communicating the CTMP to staff, visitors and neighbouring residents and businesses.

The approved plan shall be adhered to throughout the demolition/construction period.

Throughout the development process, construction traffic shall be strictly managed to ensure there is no parking on the public highway of either staff or delivery vehicles at any time.

Reason: In the interests of safe operation of the adopted highway in the lead into development both during the demolition and construction phase of the development, and to prevent the risk flooding or any loss of amenity to neighbouring land users, having regard to adopted policy SL1 of the Cheltenham Plan (2020) and adopted policies SD14, INF1 and INF2 of the Joint Core Strategy (2017). Approval is required upfront because without proper mitigation the works could have an unacceptable impact during construction.

- 6 The development shall be carried out in accordance with the approved highway drawings/details, which shall reflect and align with the details shown on the External Works Layout drawing (Drawing No. 891-141-2-H).

Reason: To ensure the provision of safe and suitable vehicular access to the development in the interests of highway safety, having regard to adopted policy INF1 of the Joint Core Strategy (2017), and paragraphs 115 and 117 of the National Planning Policy Framework (2024).

- 7 No dwelling served by the principal access shall be occupied until the vehicular bellmouth, footways, and visibility splays have been constructed in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the provision of safe and suitable vehicular access to the development in the interests of highway safety, having regard to adopted policy INF1 of the Joint Core Strategy (2017), and paragraphs 115 and 117 of the National Planning Policy Framework (2024).

- 8 Off-site highway improvement works in accordance with the details shown on the External Works Layout drawing (Drawing No. 891-141-2-H) shall be completed prior to occupation of the tenth dwelling.

Reason: To maximise opportunities for walking and cycling, having regard to adopted policy INF1 of the Joint Core Strategy (2017), and section 9 of the National Planning Policy Framework (2024).

- 9 No dwelling served by the secondary vehicular access shall be occupied until the raised table, vehicular access and off-site highway improvement works have been constructed in accordance with the details shown on the External Works Layout drawing (Drawing No. 891-141-2-H), unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the provision of safe and suitable vehicular access to the development in the interests of highway safety, and to maximise opportunities for walking and cycling, having regard to adopted policy INF1 of the Joint Core Strategy (2017), and section 9 of the National Planning Policy Framework (2024).

- 10 Where the approved highway works are to be delivered pursuant to a Section 278 agreement and completion of those works is delayed, occupation may take place provided that:
- (a) confirmation has been submitted to and approved in writing by the Local Planning Authority that the relevant Section 278 agreement submission has been made;
 - (b) the elements of the access necessary to enable its safe use by vehicular traffic and pedestrians have been constructed in accordance with the approved details; and
 - (c) a programme for completion of the remaining approved works has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the provision of safe and suitable vehicular access to the development in the interests of highway safety, having regard to adopted policy INF1 of the Joint Core

Strategy (2017), and paragraphs 115 and 117 of the National Planning Policy Framework (2024).

- 11 Prior to the commencement of development, a 30-year Habitat Management and Monitoring Plan (HMMP) shall be submitted to and approved in writing by the Local Planning Authority. The HMMP shall include:
- (a) a description and evaluation of features to be managed, including locations shown on a site map;
 - (b) landscape and ecological trends and constraints on site that might influence management;
 - (c) aims and objectives of management, including ensuring the delivery of at least a 10% net gain in habitat and hedgerow units;
 - (d) appropriate management options for achieving the aims and objectives;
 - (e) prescriptions for all management actions;
 - (f) a work schedule matrix (i.e. an annual work plan) capable of being rolled forward over 5- or 10-year periods;
 - (g) details of the body or organisation responsible for implementation of the plan; and
 - (h) 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.

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 secure the delivery of at least a 10% biodiversity net gain for the required 30-year period and appropriate management of all habitats in accordance with Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021), paragraphs 187, 192 and 193 of the National Planning Policy Framework (2024).

- 12 Prior to the commencement of development on plots 19 -21, other than that necessary to comply with the requirements of this condition, the recommendations for further work set out at paragraph 16.2.1 of the Desk Study and Ground Investigation Report (T&P Regeneration Ltd, Issue 01, dated 9th August 2024) shall be implemented and a site specific Remediation Strategy shall be submitted to and approved in writing by the Local Planning Authority. The approved remediation scheme necessary to bring the site to a condition suitable for the intended use shall be implemented in full. Following the completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out shall be submitted to and approved in writing by the Local Planning Authority.

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

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

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

- 14 Prior to the commencement of development, a Construction Phase Surface Water Management Plan that details the measures to control the risk of flooding during construction shall be submitted to and approved in writing by the Local Planning Authority. The plan shall thereafter be adhered to throughout the construction period.

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, having regard to adopted policy INF2 of the Joint Core Strategy (2017). Approval is required upfront to ensure that surface water does not leave the site in an uncontrolled manner and put properties elsewhere at increased risk of flooding during construction.

- 15 Prior to the commencement of development, a detailed Site Waste Management Plan (SWMP) or equivalent shall be submitted to and approved in writing by the Local Planning Authority. The SWMP shall identify - the specific types and amount of waste materials forecast to be generated from the development during site preparation and demolition and construction phases; and the specific measures will be employed for dealing with this material so as to: - minimise its creation, maximise the amount of re- use and recycling on-site; maximise the amount of off-site recycling of any wastes that are unusable on-site; and reduce the overall amount of waste sent to landfill. In addition, the SWMP shall also set out the proposed proportions of recycled content that will be used in construction materials. The development shall thereafter be implemented in strict accordance with the approved SWMP unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the effective implementation of waste minimisation and resource efficiency measures in accordance with adopted policy WCS2 of the Gloucestershire Waste Core Strategy (2012) and adopted policy SR01 of the Minerals Local Plan for Gloucestershire (2018 – 2032).

- 16 Prior to the installation of any external lighting, a 'wildlife-sensitive' lighting strategy (to include location, height from ground level, lux level contour plan, and hours of operation) covering both the construction and operational phases of the development shall be submitted to and approved in writing by the Local Planning Authority. The external lighting should conform to the protocols set out in Guidance Note 08/23 - Bats and Artificial Lighting at Night (BCT and ILP, 2023). All external lighting shall thereafter be implemented and maintained in accordance with the approved details.

In discharging this condition, the Local Planning Authority expects lighting to be restricted in proximity to key habitats, trees, hedges, and the proposed bat boxes and to be kept to a minimum at night across the whole site to minimise impact on emerging and foraging bats. This could be achieved in the following ways:

- Narrow spectrum lighting used to avoid the blue-white wavelengths
- Lighting directed away from vegetated areas
- Lighting timed to provide some dark periods
- Connections to areas important for foraging will contain dark corridors.
- Lighting shielded to avoid spillage onto vegetated areas

Reason: To safeguard the amenities of the area and avoid light pollution, and to protect nocturnal wildlife in accordance with the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife and Countryside Act 1981 (as amended), Circular 06/2005, paragraphs 187, 192 and 193 of the National Planning Policy Framework (2024), 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.

- 17 Should piled foundations be necessary, prior to any piling activities taking place, a Piling Plan shall be submitted to and approved in writing by the Local Planning Authority. The plan shall identify the likely impact of piling activities and identify suitable mitigation of those effects.

Reason: To safeguard the amenity of nearby residential properties and the general locality, having regard to adopted policy SL1 of the Cheltenham Plan (2020) and adopted policy SD14 of the Joint Core Strategy (2017).

- 18 No external facing and/or roofing materials shall be applied unless in accordance with the approved External Material Schedule (Drawing No. 891-100-01-A) and External Material Finished Key Plan (Drawing No. 891-10-A), unless otherwise agreed in writing by the Local Planning Authority.

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

- 19 All hard and/or soft landscaping works associated with each respective plot shall be carried out in accordance with the approved plans prior to first occupation of that plot, and all hard and/or soft landscaping works across the site shall be carried out in accordance with the approved plans prior to completion of the development, unless otherwise agreed in writing by the Local Planning Authority.

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

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

- 20 Prior to first occupation of any part of the development, a SuDS management and maintenance plan for the lifetime of the development to 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 shall be 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, having regard to adopted policy INF2 of the Joint Core Strategy (2017).

- 21 Prior to first occupation of each dwelling, car and cycle parking provision for that dwelling shall be provided in accordance with the approved plans. The car parking spaces shall be hard surfaced and positively drained to a suitable outfall to ensure no surface water runs onto the highway and shall be maintained as such thereafter.

Reason: To ensure the adequate provision of car and cycle parking within the site in the interests of highway safety, having regard to adopted policy INF1 of the Joint Core Strategy (2017).

- 22 Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and/or re-enacting that order with

or without modification), no extensions, garages, walls or fences (other than those forming part of the development hereby permitted) shall be erected without express planning permission.

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

- 23 The Biodiversity Gain Plan submitted pursuant to the national biodiversity condition (below) must be in accordance with any biodiversity or ecological information submitted with the planning application and implemented in accordance with the approved details.

Reason: To secure the delivery of at least a 10% biodiversity net gain through successful establishment and management of all newly created and enhanced habitats in accordance with Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021), paragraphs 187, 192 and 193 of the National Planning Policy Framework.

INFORMATIVES

- 1 IMPORTANT: BIODIVERSITY NET GAIN CONDITION - DEVELOPMENT CANNOT COMMENCE UNTIL A BIODIVERSITY GAIN PLAN HAS BEEN SUBMITTED TO AND APPROVED IN WRITING BY CHELTENHAM BOROUGH COUNCIL (AS A CONDITION DISCHARGE APPLICATION).

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.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission would be Cheltenham Borough Council. There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. 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.

The mandatory biodiversity net gain condition cannot be met with on-site biodiversity provision alone, so off-site biodiversity units must be purchased to satisfy the condition. The Biodiversity Gain Plan required under the statutory biodiversity gain condition must outline how a 10% net gain in biodiversity will be achieved (using the statutory biodiversity metric) and include proof of purchase of off-site biodiversity units from a suitable provider.

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>.

Information on how to discharge the biodiversity gain condition can be found here: <https://www.cotswold.gov.uk/planning-and-building/wildlife-and-biodiversity/biodiversity-net-gain-bng/>

30-year Habitat Management and Monitoring Plan templates can be found here:
<https://publications.naturalengland.org.uk/publication/5813530037846016>

- 2 The applicant is advised that planning permission does not override the statutory protection afforded to plants and animals protected under the terms of the Wildlife and Countryside Act 1981 (as amended). 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. If the discovery can be dealt with satisfactorily by the implementation of biodiversity mitigation measures that have already been drawn up by your ecological advisor and approved by the Local Planning Authority, then these should be implemented. Otherwise, a suitably experienced ecologist should be contacted and the situation assessed before works can proceed. 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.
- 3 The applicant is advised that does not override the statutory protection afforded to bats and nesting birds. All British bat species are protected under The Conservation of Habitats and Species Regulations 2017 (as amended) and the Wildlife and Countryside Act 1981 (as amended). This protection extends to individuals of the species and their roost features, whether occupied or not. A derogation licence from Natural England would be required before any works affecting bats or their roosts are carried out. If a bat or evidence of bats using a feature on site is discovered prior to or during development all work must 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 must 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 (as amended). This advice note should be passed on to any persons/contractors carrying out the development.
- 4 All British birds (while nesting, building nests, sitting on eggs and feeding chicks), their nests and eggs (with certain limited exceptions) are protected by law under Section 1 of the Wildlife and Countryside Act 1981 (as amended) and the Countryside and Rights of Way Act 2000. Works that will impact upon active birds' nests should be undertaken outside the breeding season to ensure their protection, i.e. works should only be undertaken between September and February, or only after the chicks have fledged from the nest.
- 5 Any trenches dug shall either be covered overnight or fitted with a means of escape (such as a plank of wood) so that badgers and other wildlife do not become trapped.
Any close board fencing shall be installed with gaps (13 cm x 13 cm) to allow free movement of hedgehogs and other small mammals across the site.
All mammals are protected under the Wild Mammals (Protection) Act 1996 and, therefore, prior to any site works a check should be made to make sure there are no active fox earths present on the site. The use of an animal repellent, such as Scoot, can be used to facilitate this.
- 6 The development hereby approved includes the carrying out of work on the public highway. You are advised that planning permission does not constitute permission to undertake works within the public highway. Before undertaking work on the highway, you will be required to enter into a highway agreement under Section 278 of the Highways Act 1980 with Gloucestershire County Council as the Local Highway Authority (LHA). The agreement will specify the works and the terms and conditions under which they are to be carried out. You are advised to contact the LHA'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 LHA's reasonable costs in connection with the drafting, technical approval, supervision, and inspection of the works.

A Section 278 Agreement must be completed, the bond secured and the LHA's technical approval and inspection fees paid before any drawings will be considered and approved.

- 7 This planning permission is subject to section 106 legal agreements and should be read in conjunction with those agreements.

Cheltenham Civic Society

23rd July 2025

This and the many other small parcels of land along Kidnappers Lane illustrate the problems of developer led development. The piecemeal development leads to compromised layouts, lost opportunities for community and recreation space and extra hard standing. Ideally the planning authority would have had a plan for the area to include all the necessary infrastructure.

It is particularly unfortunate that this development was not planned together with the recent development by the same builder which it wraps around. A layout covering the whole site could have been agreed with better pedestrian and street layouts and shared amenity space, and greater housing density. Another nearby development, Leckhampton Views off Leckhampton Hill, illustrates how greater density can be achieved on a similar edge of town site.

We would like more information on how the zero-carbon aim would be achieved. Despite the prominent claims made in this regard, there is no explanation as to how plans for this development respond to the check list in the Borough's Climate Change SPD.

Bearing in mind the recent heat waves, which are likely to become more frequent in future, the heat pumps installed should be of a type which can also provide cooling in the summer.

More space should be made for trees in the landscaping.

GCC Lead Local Flood Authority (LLFA)

30th July 2025

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

Flood Risk

The site is in flood zone 1 and is considered low risk according to the Risk of Flooding from Surface Water maps.

Surface Water Management

Discharge strategy

The geology of the site is Blue Lias clay and although there is Cheltenham Sand and Gravel superficial deposits present, it is accepted that infiltration is unlikely to be able to manage surface water in all events. Instead, it is proposed to discharge to a watercourse at the northern corner of the site, in line with Standard 1 for the National Standards for Sustainable Drainage Systems (SuDS).

The outfall and its construction may require consent under 23 of the Land Drainage Act 1991, a separate process to the planning process and currently carried out by Cheltenham Borough Council.

Discharge rate and volume

The discharge rate will be limited to 3.3 l/s, which is approximately equal to the greenfield runoff rate for QBar for the proposed impermeable area. This will form the strategy for managing runoff volume and is in line with Standard 3 of the National Standards for SuDS.

Evidence that the development meets Standard 2 of the National Standards should be provided. This means demonstrating the first 5mm of rainfall for the majority of rainfall events does not result in runoff from the site to the watercourse.

Sustainable Drainage System (SuDS) strategy and indicative plan

There appears to be a discrepancy between what is written in the main text of the Flood Risk Assessment and Drainage Strategy (891-ER-01; June 2025) and the Drainage Strategy Plan (891-102-C) as the former refers to an attenuation pond (with permanent standing water) and the latter an attenuation basin (without permanent water). Either could manage water quantity (although it will change how interception is managed) and water quality aspects of SuDS as well as provide amenity and biodiversity benefits to the development but it should be clarified which one will be implemented.

The private driveways will be composed of permeable paving and some of the garages roofs are proposed to be green roofs, which will form a treatment train with the attenuation basin/pond to manage water quality from these areas. However, there is no treatment train for the access road as this will drain directly to the attenuation basin via gulleys.

The text states that urban creep is being included at a value of 10%, however, it appears that this hasn't been included in the simulations that show how the drainage will function. These simulations also show that the runoff from the impermeable surfaces haven't been set at 100% (i.e. the summer and winter Cv values are 0.75 and 0.84 respectively). They also haven't included the basin/pond or the permeable surfaces that could contribute runoff to the drainage as advised in paragraph 3.32 of the National Standards.

The attenuation basin/pond has been simulated with a free outfall, however, it looks like it's only 100mm above the height of the receiving watercourse. This could mean the discharge from it gets impacted when the water level in the watercourse increases and exceeds the level of the outfall. This should be included in the model to ensure it will function as designed in all scenarios. This is outlined in paragraph 3.24 of the National Standards. There also doesn't appear to be a freeboard built into the pond so confirmation of this should be provided.

Finally, the existing watercourse along the southern boundary of the site is being isolated behind property gardens and fences. Experience of this layout has shown it can lead to maintenance of the watercourse being neglected due to difficulties in accessing it and investigating these instances are made difficult. Where possible, this should be avoided and the watercourse remain in public open space. If this isn't possible then it should be open in people's gardens and confirmation of who will be legally responsible (i.e. who the landowner will be) for the maintenance of the watercourse should be provided.

Climate change

Climate change has been incorporated into the design at a value of 40%, which is in line with the Environment Agency's latest estimates.

Exceedance flow plan

The Flood Routing Plan (Proposed) (859-107-2-B) shows where surface water will travel through and off the site in rainfall events that exceed the design of the drainage.

LLFA Recommendation

The surface water drainage strategy does not meet many of the National Standards for Sustainable Drainage Systems. These should be addressed or evidence that it does should be provided.

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

Consultations Appendix

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

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

12th September 2025 – revised comments

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

It's not clear how the pond has been designed. It appears as though the base of the pond will be 76.000mAOD (apart from the 281.5m² area that will be 75.600mAOD to capture the first 5mm of rain) which is the same level as the outfall. This means there will be no permanent standing water in the pond. It's also not clear how the first 5mm will be prevented from leaving the site because the once the 112.58m³ of storage available in the base of the pond has been filled, it will no longer be available to store the first 5mm of subsequent rainfall events. The design also includes a 600mm drop that will not provide a particularly natural or easily accessible feature with shallow slopes and benching that is described in Standard 5 of the National Standards for SuDS.

A filter trench has been added adjacent to the access road opposite plots 10-12a. This could help provide further water quality management for this portion of the road depending on the detailed design of this system, i.e. surface water should be allowed to runoff onto the top of the trench to allow the filtration rather than gullies being connected to the underlying pipe. If designed appropriately, the inclusion of this feature will mean the majority of the site will have a treatment train.

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

It's not clear how the pond has been designed. It appears as though the base of the pond will be 76.000mAOD (apart from the 281.5m² area that will be 75.600mAOD to capture the first 5mm of rain) which is the same level as the outfall. This means there will be no permanent standing water in the pond. It's also not clear how the first 5mm will be prevented from leaving the site because the once the 112.58m³ of storage available in the base of the pond has been filled, it will no longer be available to store the first 5mm of subsequent rainfall events. The design also includes a 600mm drop that will not provide a particularly natural or easily accessible feature with shallow slopes and benching that is described in Standard 5 of the National Standards for SuDS.

A filter trench has been added adjacent to the access road opposite plots 10-12a. This could help provide further water quality management for this portion of the road depending on the detailed design of this system, i.e. surface water should be allowed to runoff onto the top of the trench to allow the filtration rather than gullies being connected to the underlying pipe. If designed appropriately, the inclusion of this feature will mean the majority of the site will have a treatment train.

Better coefficients have been used in the simulations of the drainage and urban creep has been included. The pond has been included but reportedly with only an impermeable factor of 20%. Given the nature of a pond and the description on the Attenuation Basin Sections plan (891- 114-B) of "Clay puddling to be provided to sides and base of permanently wet area to prevent infiltration" suggests there will be minimal if any infiltration and it should be included with a 100% impermeable factor.

Consultations Appendix

The simulations also include a fixed surcharge level at the outfall to mimic what would happen when the watercourse is in high flows. According to the results, it looks like Pipe (4) will flood on a 3.3% Annual Exceedance Probability (AEP) event, which is counter to the National Standards. Similarly, this happens in the 1% AEP event but it's not clear what the volume of flooding is in this scenario.

Finally, on the alterations to the boundary ditch, it's not obvious how maintaining a filter trench would be easier or safer than an open ditch when the residents will not be able to see blockages in it and, if blockages occur, will have to remove/replace a substantial amount of material compared to managing vegetation on the surface of the ditch. It might not be a watercourse that runs all year round, but it may still provide a habitat for some ecosystems.

LLFA Recommendation

The LLFA recommends further information be provided as described above.

7th November 2025 – revised comments

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

The information submitted following the LLFAs previous comments from the 12 September 2025 (Flood Risk Assessment and Drainage Strategy; 891-ER-01 Rev C; 6 October 2025) includes changes to the attenuation basin that mean it complies with the National Standards. Changes to the filter trench will mean it will function as a measure to manage water quality and clarification over the boundary ditch, which no longer has a significant catchment, suggests that back filling it should not cause an issue.

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

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

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

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

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

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

NOTE 2: Any revised documentation will only be considered by the LLFA when resubmitted through suds@gloucestershire.gov.uk e-mail address. Please quote the planning application number in the subject field.

27th May 2026 – revised comments

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

The LLFA has no further comments or recommendations from our last response from 7th November 2025.

GCC Highways Development Management 12th August 2025

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

The justification for this decision is provided below.

The site has an extensive history of permissions including an appeal decision. Those previous permissions, including the appeal decision, have had a number of conditions and off-site works imposed on them particularly the provision of a footway connection with Vineries Close before occupation as imposed by the inspector.

It would seem reasonable to impose the conditions previously imposed although I have recommended some changes/additions but given the fall-back position of the previous permission I will leave to the LPA to assess the reasonableness of those suggestions.

The detail design of the estate road is the subject of a S38 application and the detail of that will be agreed as part of that process and the off-site works and individual accesses will need to be subject to a S278 Agreement with the LHA.

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

Conditions

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

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

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

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

Before any part of the development hereby approved is brought into beneficial use and irrespective of any document currently submitted a Travel Plan will be submitted to and approved by the LPA which will include a monitoring methodology which will include a survey

Consultations Appendix

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

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

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

The Local Highway Authority has no objection to the above subject to the applicant obtaining a section 184 licence. The construction of a new access will require the extension of a verge and/or footway crossing from the carriageway under the Highways Act 1980 - Section 184 and the Applicant is required to obtain the permission of Gloucestershire Highways on 08000 514 514 or highways@gloucestershire.gov.uk before commencing any works on the highway. Full details can be found at www.gloucestershire.gov.uk.

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

8th October 2025 – revised comments

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

The justification for this decision is provided below.

The site is within an area where developments have been approved both on appeal and directly by the Borough Council. This scheme was submitted as part of the pre-application process and the applicant was advised that the proposed development was acceptable.

This submission includes an appropriate level of visibility at the access as identified in the supporting documents.

It is considered that the predicted levels of traffic generated by the proposed development are unlikely to have a severe impact on the capacity of the local highway network.

The Highway Authority has undertaken an assessment of the planning application. Based on the analysis of the information submitted the Highway Authority concludes that there would not

Consultations Appendix

be an unacceptable impact on Highway Safety or a severe impact on congestion. There are no justifiable grounds on which an objection could be maintained.

Conditions

Before any part of the development hereby approved is brought into beneficial use the visibility splays shown on the approved drawings shall be laid out, cleared of all obstructions to visibility greater than 0,6m above the level of the carriageway and once any part of the development is occupied shall be maintained as such thereafter.

Before any part of the development hereby authorised is brought into beneficial use the footway/cycleway works shown on the submitted plans shall be completed in accordance with the local highway authority's standards.

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

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

The proposed estate road will be laid out and constructed in accordance with the designs and specifications laid out in the Manual for Gloucestershire Streets.

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

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

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

Informatives

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

Consultations Appendix

highway authority with regards to maintenance, snow clearance etc and advised to take advice on public liability insurance against claims associated with those responsibilities.

The Local Highway Authority has no objection to the above subject to the applicant obtaining a section 184 licence. The construction of a new access will require the extension of a verge and/or footway crossing from the carriageway under the Highways Act 1980 - Section 184 and the Applicant is required to obtain the permission of Gloucestershire Highways on 08000 514 514 or highways@gloucestershire.gov.uk before commencing any works on the highway. Full Details can be found at www.gloucestershire.gov.uk.

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

24th April 2026 – revised comments

Gloucestershire County Council, the Local Highway Authority (LHA), acting in its role as Statutory Consultee has undertaken a full assessment of this planning application. Based on the appraisal of the development proposals, the Highways Development Management Manager, on behalf of the County Council, under Article 18 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, makes the following comments.

This response is provided to update previous comments made by the LHA which offered no objections subject to a series of planning conditions and further discussions between the applicant and the LHA reflecting on some improvements to the existing infrastructure on Kidnappers Lane, specifically for cyclists.

In response to these discussions the applicant has updated the External Works Layout drawing (891-141-2 revision G) to show the following improvements:

- Widened footway on the eastern side of Kidnappers Lane across the site frontage to accommodate a shared 3m footway / cycle track including across the proposed access to plots 14 to 21;
- Full tie-in to the footway / cycle track to the south at the same width;
- A traffic calming feature (raised table) for the access into plots 14 to 21;
- Relocated informal crossing point adjacent to the principal site access;
- New crossing point to the north of the principal site access suitable for pedestrians to access the existing shared facility on the other side of the road; and
- Appropriate changes to signage and road markings

As such, the LHA is now content that the proposals are fit for purpose and that they would result in improved accessibility and connectivity for this development.

Although a Stage 1 Road Safety Audit (RSA1) has been provided, this was for the scheme submitted before the above listed improvements were designed. The LHA has no doubt that a revised RSA1 would be required for these changes but we are comfortable that the changes are likely to make the area safer and would therefore be content for this process to be completed as part of the Highway Works Agreement under Section 278 of the Highways Act 1980. The LHA has already suggested wording for these works but, for the avoidance of doubt the conditions should now follow the wording below (these conditions are split not only per access but also across a timescale that would permit commencement based on agreed details and also an allowance in the pre-occupation conditions for an alternative delivery programme if delays in achieving highways technical approval are encountered):

CONDITIONS

Principal Access

Consultations Appendix

No development shall commence until details of the proposed principal vehicular access serving 13 dwellings, comprising a bellmouth access with associated footways, as shown indicatively on the External Works Layout drawing (891-141-2 revision G), have been submitted to and approved in writing by the local planning authority. The details shall include junction geometry, footway provision, visibility splays, levels, drainage, and means of construction.

Reason: To ensure the provision of safe and suitable vehicular access to the development in the interests of highway safety, in accordance with paragraphs 110 and 111 of the National Planning Policy Framework.

No dwelling served by the principal access shall be occupied until the vehicular bellmouth, footways, visibility splays and the section of shared use footway/cycle track widened to 3 metres adjacent to and between the accesses have been constructed in accordance with the approved details, or in accordance with a programme for delivery that has been submitted to and approved in writing by the local planning authority.

Where the approved works are to be delivered pursuant to a Section 278 agreement and completion of those works is delayed, occupation may take place provided that:

- (a) confirmation has been submitted to and approved in writing by the local planning authority that the relevant Section 278 agreement has been entered into;
- (b) the elements of the access necessary to enable its safe use by vehicular traffic and pedestrians have been constructed in accordance with the approved details; and
- (c) a programme for completion of the remaining approved works has been submitted to and approved in writing by the local planning authority.

The access shall be retained thereafter.

Reason: To ensure the provision of safe and suitable vehicular access to the development in the interests of highway safety, in accordance with paragraphs 110 and 111 of the National Planning Policy Framework.

Secondary Access

No development shall commence until details of the secondary vehicular access serving 8 dwellings via a raised table on Kidnappers Lane, as shown indicatively on the External Works Layout drawing (891-141-2 revision G), have been submitted to and approved in writing by the local planning authority. The details shall include the raised table design, tactile paving where applicable, carriageway and footway / cycle track levels and widths, drainage, visibility, and any associated road markings and signage.

Reason: To ensure the provision of safe and suitable vehicular and cyclist access to the development in the interests of highway safety, in accordance with paragraphs 110 and 111 of the National Planning Policy Framework.

No dwelling served by the secondary access shall be occupied until the raised table, vehicular access and the section of shared use footway/cycle track widened to 3 metres adjacent to and between the accesses required to serve that dwelling have been constructed in accordance with the approved details, or until a timetable for their completion has been submitted to and approved in writing by the local planning authority and the dwelling is occupied in accordance with that timetable. Where the approved works are to be delivered pursuant to a Section 278 agreement and completion of those works is delayed, occupation may be permitted provided that:

- (a) confirmation has been submitted to and approved in writing by the local planning authority that the relevant Section 278 agreement has been entered into;
- (b) the raised table is operational and capable of accommodating safe vehicular, pedestrian, and cycle movements; and

Consultations Appendix

(c) a programme for completion of the remaining approved works has been submitted to and approved in writing by the local planning authority.

The access shall be retained thereafter.

Reason: To ensure the provision of safe and suitable vehicular access to the development in the interests of highway safety, in accordance with paragraphs 110 and 111 of the National Planning Policy Framework.

Construction Traffic Management Plan

Prior to commencement of the development hereby permitted details of a construction traffic management plan (CTMP) shall be submitted to and approved in writing by the Local Planning Authority. The approved plan shall be adhered to throughout the demolition/construction period. The plan/statement shall include but not be restricted to:

- Parking of vehicles of site operatives and visitors (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction);
- Advisory routes for construction traffic;
- 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.

Reason: In the interests of safe operation of the adopted highway in the lead into development both during the demolition and construction phase of the development.

INFORMATIVE

This informative is provided for the avoidance of doubt and does not form part of the planning permission.

Works on the Public Highway

The development hereby approved includes the carrying out of work on the public highway. You are advised that planning permission does not constitute permission to undertake works within the public highway. Before undertaking work on the highway you will be required to enter into a highway agreement under Section 278 of the Highways Act 1980 with Gloucestershire County Council as the local highway authority (LHA). The agreement will specify the works and the terms and conditions under which they are to be carried out. You are advised to contact the LHA'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 LHA's reasonable costs in connection with the drafting, technical approval, supervision, and inspection of the works.

A Section 278 Agreement must be completed, the bond secured and the LHA's technical approval and inspection fees paid before any drawings will be considered and approved.

1st July – updated comments

Gloucestershire County Council, the Highway Authority, acting in its role as Statutory Consultee has undertaken a full assessment of this planning application. Based on the appraisal of the development proposals, the Highways Development Management Manager — on behalf of the County Council — under Article 18 of the Town and Country Planning

Consultations Appendix

(Development Management Procedure) (England) Order 2015, makes the following comments.

I can confirm that the LHA is happy with the proposed amendments to the highway works and access details as shown on drawing 891-141-2 rev G (External Works Layout Sheet 2). These works incorporate:

- A widened footway from the main site access southwards, across the secondary access point to the corner of Kidnappers Lane opposite the Cherringtons access
- Tactile paving for a pedestrian crossing north of the site access
- Appropriate locations for corduroy paving
- Relocating the proposed informal cycle crossing point closer to the main site access
- A raised table adjacent to the secondary site access point as a traffic calming feature

I can now confirm that this enables the LHA to withdraw its objection to the proposals.

Trees Officer 6th August 2025

In general, the trees on site are individually of lower arboricultural value, given their relative lack of visibility from the public realm and the species make-up, which is predominantly fast-growing, short-lived pioneer species with modest ultimate size potential. The more exotic trees on site (gum, false acacia, Indian bean) appear to be remnants from a former site use and most have limited or no public visibility, while the largest, the gum, does not have especially good form. The line of Leyland cypress bordering the site is almost certainly a lapsed hedge and is a slightly incongruous arboreal feature in a semi-rural setting.

However, their collective loss would be regrettable - the proposal here is to remove almost all the trees from the site. Arguably, the most valuable arboreal asset is not even listed on the tree survey schedule individually - this is a lapsed coppice stool of ash forming part of the front hedgerow (see group 3 on the schedule) which is likely much older than its coppiced form appears. It should also be held in mind that the relative lack of public visibility into the site is due in large part to the hawthorn and ash hedging along the roadside border. This is an arboreal feature in itself which in places is indistinguishable from the copses or groups of trees beyond.

It should also be noted that there is some local opposition to the wholesale removal of the trees here which provide numerous habitat opportunities for wildlife. While the trees themselves may have limited immediate amenity value, their value for habitat should not be underestimated, and this broader sense of amenity value should be duly weighed in the planning balance.

It would be preferable therefore for the scale of the development to be reduced in order to retain more of the existing features. While the numerous fruit trees, as insect-pollinated trees, will support insects and associated ecosystems, G5 is a small copse of willows which is probably the group which has the best case for retention as shelter for larger mammals, and which over time will become more prominently visible. In the context of a BNG assessment that indicates a 64.58% net loss in biodiversity, retention of existing green infrastructure should be prioritised.

Reason: to protect the amenity value of trees in the Borough as per Policies GI2 and GI3 of the Cheltenham Plan.

CBC Ecologist 15th July 2025

The Preliminary Ecological Appraisal (PEA) (All Ecology, April 2025) appropriately describes the ecological features of the site and mitigation required. The results of the Reptile Survey report (All Ecology, April 2025) are also supported.

Consultations Appendix

The Biodiversity Net Gain Design Stage Report (All Ecology, June 2025) indicates the development would achieve a -64.58% net loss in biodiversity, calculated by the statutory biodiversity metric. This is a disappointing figure for a development on a site this size, and with zero-carbon dwellings proposed. The applicant is urged to consider re-designs, including minimising hard-standing areas and incorporating higher quality soft landscaping into the proposal to improve their BNG calculation. Following this, finalised comments from CBC Ecology will be provided. The applicant must also submit a copy of their statutory biodiversity metric. Only condition sheets have been submitted so far.

28th July 2025 – revised comments

The Preliminary Ecological Appraisal (PEA) (All Ecology, April 2025) appropriately describes the ecological features of the site and mitigation required. The results of the Reptile Survey report (All Ecology, April 2025) are also supported.

The Biodiversity Net Gain Design Stage Report (All Ecology, June 2025) indicates the development would achieve a -64.58% net loss in biodiversity, calculated by the statutory biodiversity metric. This is a disappointing figure for a development on a site this size, and with zero-carbon dwellings proposed, however the applicant has confirmed that they "have maximised the land available on site and would likely wish to secure the BNG required to deliver the site by alternative means, potentially a third party like GNCf".

The mandatory biodiversity (net) gain (BNG) condition applies to this development; therefore, a Biodiversity Gain Plan must be submitted prior to commencement if this application is approved. The BNG informative must be added to the decision notice of this planning application if it is deemed approved. The mandatory biodiversity net gain condition cannot be met with on-site biodiversity provision alone, so off-site biodiversity units must be purchased to satisfy the condition prior to commencement of the development should the development be granted planning permission. The Biodiversity Gain Plan required under the statutory biodiversity gain condition must outline how a 10% net gain in biodiversity will be achieved (using the statutory biodiversity metric) and include proof of purchase of off-site biodiversity units from a suitable provider. The finalised statutory biodiversity metric must also reflect one amendment; the proposed other neutral grassland in the public open space on this site should be downgraded from 'Good' condition to 'Moderate' condition, owing to the nature of public open spaces and the high likelihood that this habitat will be degraded over the 30-years it will be accessible for. A Habitat Management and Monitoring Plan (HMMP) and S106 are required with respect to biodiversity gains achieved by this proposed development.

If this proposal is granted planning permission, the following conditions must be attached:

Ecological Mitigation & Enhancement Strategy (EMES)

Prior to the commencement of the development hereby approved the applicant shall submit an Ecological Mitigation & Enhancement Strategy (EMES). This shall include details of the provision of 15No bird boxes, 15No bat boxes, 20No insect bricks, 7No hedgehog boxes, and 1No reptile hibernacula. 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 Cheltenham Borough Council.

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 2011-2031 (2017) which encourages new development to:

Consultations Appendix

"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".

Lighting Plan

Prior to the commencement of the development hereby approved, details for any proposed external lighting shall be submitted to and agreed in writing by the Local Planning Authority. Development shall be undertaken in accordance with the approved details. This shall include a lux level contour plan, and shall seek to ensure no light spill outside of the site boundaries. The lux contour plan shall show lux levels at frequent intervals (lux levels at 0, 0.2, 0.5, 1, 1.5, 2, 3, 4, 5 lux and higher are particularly useful) and extend outwards to additional levels (above the pre-existing background light level) of zero lux. The lux contour levels shall be superimposed on a site plan which includes all land that is affected by raised light levels (including potentially land outside the red line planning application area) and shall reflect the use of any proposed mitigation, e.g visors.

Advice note: Lux Levels on natural habitats potentially used by nocturnal species such as bats and badgers, not previously exposed to increased light levels, will receive approximate lux levels of between 0.1 (typical moonlight/cloudy sky) and 10 (sunset) lux 'Bats and Artificial Lighting at Night' ILP Guidance Note update released - News - Bat Conservation Trust Increasing lux levels in these natural habitats is likely to cause disturbance, therefore the implementation of visors etc as mitigation is strongly advised.

Guidance: According to paragraph 191 of the National Planning Policy Framework (2024), 'Planning policies and decisions should... limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.'

Reason: To conserve legally protected bats and other nocturnal wildlife complying with the 1981 Wildlife & Countryside Act (as amended).

Precautionary Method of Working (PMW)

Prior to the commencement of development hereby approved, including all site clearance and vegetation removal, a method statement for a Precautionary Method of Working (PMW) with respect to vegetation and site clearance, and the potential presence of protected species on site shall be prepared by a suitably qualified ecological consultant and submitted to and approved in writing by the Local Planning Authority. The PMW shall include measures to soft-fell the trees with potential bat roosting features, as described in the Preliminary Ecological Appraisal (PEA) (All Ecology, April 2025).

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.

Guidance: According to paragraph 180 (page 52) of the National Planning Policy Framework (2024), 'Planning policies and decisions should... limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.' Reason: To conserve legally protected bats and other nocturnal wildlife.

Soft Landscape Plan

Prior to the commencement of the development hereby approved, a soft Landscape Plan including a planting schedule, shall be submitted to and approved in writing by Cheltenham Borough Council.

The development shall be carried out in full accordance with the details submitted or any amendments approved in writing by the Council.

Reason: to comply with the revised National Planning Policy Framework (NPPF, 2024). The NPPF states in paragraph 180 (d) on page 50 that "Planning policies and decisions should contribute to and enhance the natural and local environment by... minimising impacts on and

Consultations Appendix

providing net gains for biodiversity..." and in paragraph 185 (b) "To protect and enhance biodiversity and geodiversity, plans should...identify and pursue opportunities for securing measurable net gains for biodiversity".

Habitat Management and Monitoring Plan (HMMP)

The development shall not commence until a Habitat Management and Monitoring Plan (the HMMP), prepared in accordance with the approved Biodiversity Gain Plan and including:

- (a) a non-technical summary;
- (b) the roles and responsibilities of the people or organisation(s) delivering the HMMP;
- (c) the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan;
- (d) the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development; and
- (e) the monitoring methodology and frequency in respect of the created or enhanced habitat to be submitted to the local planning authority, has been submitted to, and approved in writing by, the local planning authority.

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

- (f) HMMP has been implemented; and
 - (g) habitat creation and enhancement works as set out in the [HMMP] have been completed.
- No occupation/operational use of the proposed development shall take place until:
- (h) the habitat creation and enhancement works set out in the approved HMMP have been completed; and
 - (i) a completion report, evidencing the completed habitat enhancements, has been submitted to, and approved in writing by the Local Planning Authority.

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

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

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

Consultant Ecologist (Wild Service)

9th October 2025

We have reviewed the Ecological documents (PEA, BNG, CEMP, LEMP, reptile report) and our response with regards to Ecology is provided below.

The development of 21 houses and gardens will result in the loss of the majority of on-site habitats, mainly scrub and semi-improved grassland; while the native hedgerow is to be retained/enhanced.

Two trees had low bat roosting potential and are to be inspected by a bat licensed ecologist prior to being soft-felled as per best practice. Compensatory roosting provision, in the form of bat box on retained tree, should be provided prior to felling.

It is noted that no dormouse survey has been undertaken despite dormice being known to be present in the locality in the hedge network and the site contains suitable habitat and is linked to the hedgerow network – therefore a dormouse survey is required prior to determination (this should ideally be through using footprint tunnels as per the latest dormouse survey guidelines for habitat that is of moderate/low suitability for dormice to avoid false absence finding).

There appears to be a pond on the adjacent estate that has not been assessed for its suitability for GCN, which needs to be done considering the suitability of the terrestrial habitat for this species and other amphibians such as common toad (for which there are local records) – therefore the presence/absence of this pond should be verified and if present then it should be assessed for its suitability for GCN and recommendations made accordingly prior to determination.

Consultations Appendix

A small slow-worm population was found on site and mitigation measures are outlined in the reptile report and CEMP, the land to be retained and protected during construction and landscaping appears to be rather small and shaded by trees/shrubs in the aerial plan in the CEMP. It is recommended that some open habitat be included in the reptile retained habitat too. The CEMP generally gives sufficient mitigation information during construction. However, common toad and hedgehogs are present in the area and these are both Species of Principal Importance under the NERC Act. Therefore, mitigation for these species should be included in the CEMP.

While the positive BNG value for hedgerows is welcomed, it is noted that the development doesn't yield a net gain for area habitats and gives a large negative result of -64.58%. Therefore the developer should either free up land on site for BNG purposes, or find additional land to use for off-site offsetting (NB BNG baseline survey and BNG uplift assessment would be needed predetermination); or they could use a local BNG units provider such as GNCF to achieve 10% net gain for area habitats.

Outline 'wildlife-sensitive' lighting recommendations in the CEMP and LEMP for construction and operational phases respectively, are welcomed and should be expanded in the form of a 'wildlife-sensitive' lighting strategy, especially as lesser horseshoe bats are known to forage across the area.

Requirements prior to determination:

1. Confirmation as to how the additional BNG units are to be obtained to allow the development to achieve a minimum of 10% net gain for area habitats (as well as the >10% positive net gain predicted for hedgerows) is also required. Updated information to demonstrate how 10% net gain can be obtained (ensuring BNG trading rules are met in the updated BNG metric) is to be submitted to the LPA for review.
2. The presence/absence of this pond should be verified and if present then it should be assessed for its suitability for GCN (using Habitat Suitability Index method) and recommendations (including any survey effort deemed necessary or additional mitigation/enhancement measures) made accordingly. The findings should be submitted to the LPA for review.
3. Dormouse survey to determine presence/absence ideally using footprint tunnels for habitats of low/moderate suitability as per latest dormouse survey guidelines. The results of which should be used to update mitigation and enhancement measures where necessary and this should be submitted to the LPA.
4. An SHRA is required to consider recreational impacts on the Cotswold Beechwoods SAC both for the proposed scheme and the cumulative impact with the current and planned development for the area. In addition recreational impacts on the nearby Leckhampton Hill SSSI from this proposed development and future/planned developments in the area should also be considered. Appropriate mitigation recommendations should be included in the assessment. This assessment should be submitted to the LPA for review.

Informatives:

1. Biodiversity Net Gain

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 CHELTENHAM BOROUGH COUNCIL.

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

Consultations Appendix

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.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission would be Cheltenham Borough Council. There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. 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>.

The applicant will need to apply to approve the details reserved by the 30-year Habitat Management and Monitoring Plan and the Biodiversity Gain Plan at the same time

2. Wildlife Protection

The applicant is advised that planning permission does not override the statutory protection afforded to plants and animals protected under the terms of the Wildlife and Countryside Act 1981 (as amended). 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. If the discovery can be dealt with satisfactorily by the implementation of biodiversity mitigation measures that have already been drawn up by your ecological advisor and approved by the Local Planning Authority then these should be implemented. Otherwise a suitably experienced ecologist should be contacted and the situation assessed before works can proceed. 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.

Bats

Please note that this consent does not override the statutory protection afforded to bats and nesting birds. All British bat species are protected under The Conservation of Habitats and Species Regulations 2017 (as amended) and the Wildlife and Countryside Act 1981 (as amended). This protection extends to individuals of the species and their roost features, whether occupied or not. A derogation licence from Natural England would be required before any works affecting bats or their roosts are carried out. If a bat or evidence of bats using a feature on site is discovered prior to or during development all work must 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 must 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 (as amended). This advice note should be passed on to any persons/contractors carrying out the development.

Birds

All British birds (while nesting, building nests, sitting on eggs and feeding chicks), their nests and eggs (with certain limited exceptions) are protected by law under Section 1 of the Wildlife and Countryside Act 1981 (as amended) and the Countryside and Rights of Way Act 2000. Works that will impact upon active birds' nests should be undertaken outside the breeding season to ensure their protection, i.e. works should only be undertaken between September and February, or only after the chicks have fledged from the nest.

General Wildlife Advice

Any trenches dug shall either be covered overnight or fitted with a means of escape (such as a plank of wood) so that badgers and other wildlife do not become trapped.

Any close board fencing shall be installed with gaps (13 cm x 13 cm) to allow free movement of hedgehogs and other small mammals across the site.

All mammals are protected under the Wild Mammals (Protection) Act 1996 and, therefore, prior to any site works a check should be made to make sure there are no active fox earths present on the site. The use of an animal repellent, such as Scoot, can be used to facilitate this.

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

1. A 'wildlife-sensitive' lighting strategy scheme covering both construction and operational phases should be submitted to the local authority pre-commencement detailing location and specification of the lighting supported by contouring plans demonstrating any light spill into adjacent habitats. This plan should be completed in conjunction with advice from the project ecologist and submitted to the LPA for review pre-commencement.

2. Compensatory bat box should be installed on site prior to the trees with low bat roosting potential being felled following inspection by bat licensed ecologist who should oversee the soft-felling. Location to be added to the CEMP/LEMP site plan and the plan submitted to the LPA prior to commencement.

3. CEMP should ensure that some open habitat is included in the retained land for reptiles and clarify that this needs protection during both construction and landscaping phases. This reptile receptor/retained habitat area should be shown on the plans in the LEMP report too to ensure it is left in place. A log/rubble pile should be installed in the reptile retained zone (and shown on the CEMP/LEMP plans) to act as a receptor to place any reptiles in that are found during ecologist-supervised site clearance. The CEMP should include precautionary measures for common toad and hedgehog, both Species of Principal Importance under the NERC Act and likely to be on site. A copy of the CEMP should be left in the site office and made available for all site staff and this should be stated clearly on the front cover. The updated CEMP and LEMP (with updated reptile receptor/retained habitat area) should be submitted to the LPA for review prior to commencement.

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

- *PPF Para 180 - 194 (Conserving and Enhancing the Natural Environment), National Planning Policy Framework*
- *SD9 Biodiversity and Geobiodiversity*
- *NF3 Green Infrastructure*

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

Cheltenham Plan, Adopted 2020.

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

Wildlife legislation context:

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

- *Protection of Badgers Act 1992*

We trust this information is helpful.

25th November 2025 – revised comments

While the CEMP states no ponds are present nearby, there is no clarification if a search has been made by the ecologist to verify whether there is a pond in the nearby estate and if so its suitability for GCN (to the east).

As dormouse habitat will be lost due to the development and there are local records, confirming their presence/absence and mitigation is necessary.

Sensitive lighting details in LEMP are welcomed, however, lighting plan to verify that light spill will be minimised is still required.

Receptor bat box referred to in text and added to CEMP plan.

Protection of retained area and mitigation for amphibians and hedgehogs included in CEMP and information on maintaining reptile habitat plus wildlife features locations included in LEMP (use of hedgehog highways is encouraging).

CBC Ecologist

28th April 2026

Further Information Required – Objection.

Thank you for your correspondence and the additional information provided. The application has been reviewed in the context of relevant legislation and policy, including the Environment Act 2021, the National Planning Policy Framework (NPPF, particularly paragraphs 180 and 186), the Conservation of Habitats and Species Regulations 2017 (as amended), and the Natural Environment and Rural Communities (NERC) Act 2006.

There may still be some outstanding ecological matters that would benefit from being addressed prior to determination.

Notwithstanding previous submissions, the following matters remain outstanding and require clarification prior to determination:

1. Biodiversity Net Gain (BNG)

In accordance with Schedule 7A of the Town and Country Planning Act 1990 (as inserted by the Environment Act 2021), all developments must demonstrate a minimum of 10% biodiversity net gain. While a positive net gain has been identified for hedgerows, the submitted metric demonstrates a significant deficit for area habitats.

Given the scale of the deficit (notably in the context of relatively low distinctiveness habitats and absence of complex habitat creation constraints such as watercourses), further justification is required. Specifically:

- The applicant has confirmed that off-site units will be purchased from a habitats provider and their intention is to purchase from a local provider should the units be available.
- Demonstration that the mitigation hierarchy (avoidance, mitigation, on-site compensation, then off-site compensation) has been fully applied in accordance with statutory BNG guidance; and
- If additional habitat is proposed onsite to increase the net gain, Submission of an updated biodiversity metric demonstrating how at least a 10% net gain for area habitats will be achieved, ensuring compliance with BNG trading rules.

This information must be provided to the Local Planning Authority (LPA) for review.

Consultations Appendix

Other neutral grassland on a development of this type should not be at a level higher than moderate. Our ecologist previously requested that this is changed from the proposed 'good' condition in the metric, this is still outstanding and therefore the post development BNG would be -66.86% after this change.

2. Great Crested Newts (GCN) and Adjacent Pond

LPA previous response - The presence or absence of a pond on the adjacent estate (to the east) must be verified. If present, the pond should be assessed using the Habitat Suitability Index (HSI) methodology to determine its suitability for Great Crested Newts, in line with best practice guidance and the Conservation of Habitats and Species Regulations 2017 (as amended).

Where suitable habitat is identified, appropriate recommendations should be made, including:

- Whether presence/absence or further survey effort (e.g. eDNA or traditional survey) is required; and
- Any necessary mitigation or enhancement measures.
-

This is particularly important given the presence of suitable terrestrial habitat and local records of amphibians (including Species of Principal Importance under Section 41 of the NERC Act 2006).

The newly submitted CEMP states that no ponds are present nearby therefore, the LPA considers that the proposed precautionary methods of working are adequate inline with the project ecologists' recommendations.

The Local Planning Authority operates under a district-level licensing (DLL) scheme for great crested newts, and as such, NatureSpace should be consulted prior to determination. This is to ensure that any impacts on great crested newts are appropriately considered and addressed in accordance with the Conservation of Habitats and Species Regulations 2017 and relevant Natural England licensing requirements. Confirmation of NatureSpace's position is therefore required before a determinative decision is made.

3. Dormouse Survey

The Ecological report includes the following within the summary: 'Habitats: The boundary hedge and scrub provide the only habitats. These are connected to an off-site network of hedges but these are poorly connected in turn into the wider area.

Presence/absence: The hedge and scrub provide habitat but are species-poor with limited connectivity. No evidence of presence was recorded. Dormice are expected to be absent.

However, no further details of survey effort have been included, how this conclusion has been made is unclear and lack scientific evidence. Hazel Dormouse records are within 1km with the site having good connectivity to the wider landscape. Therefore, given the presence of suitable habitat, connectivity to the wider hedgerow network, and local records of hazel dormouse (a European Protected Species), further survey work is required to establish presence or likely absence.

Surveys should be undertaken in accordance with current best practice guidance (e.g. Natural England and the Dormouse Conservation Handbook), with the use of footprint tunnels strongly recommended for habitats of low to moderate suitability to reduce the risk of false absence results.

The results should be used to inform appropriate mitigation, compensation, and enhancement measures, and submitted to the LPA for review. This is necessary to ensure compliance with the Conservation of Habitats and Species Regulations 2017 (as amended), and to meet NPPF requirements for the protection of protected species.

Summary Ecological Position

Previous consultation responses identified several key concerns which remain either unresolved or insufficiently addressed, including:

- Requirement for dormouse survey due to suitable habitat and local records which are confirmed in the ecological report. Hedgerow removal is proposed, OR thorough justification from the project ecologist as to why surveys have not been conducted;
- Significant biodiversity net gain deficit for area habitats, significant net gain in hedgerow units (this is welcomed) clarification of how the mitigation hierarchy has been applied for BNG is still required;
- Need for enhanced reptile mitigation habitat design (may be conditioned)
- Expansion of lighting strategy to ensure it is demonstrably “wildlife-sensitive.” (may be conditioned)

General Position

While it is acknowledged that previous nearby developments may have undergone survey effort, each application must be assessed on its own merits, based on up-to-date policy, available evidence, and site-specific circumstances.

In its current form, the application does not yet provide sufficient ecological information to demonstrate compliance with the above legislation and policy requirements. As such, the requested information is necessary to ensure that impacts on biodiversity are adequately assessed and addressed prior to determination.

If the applicant or their agent disagrees with the ecological advice provided by the Local Planning Authority, a formal written appendix to the submitted ecological report should be prepared and submitted by the project ecologist. This should clearly set out the technical basis for any disagreement, supported by appropriate evidence, survey data, and reference to relevant policy and guidance. The statement should be sufficiently robust to enable the LPA to fully consider the alternative position prior to determination.

HRA

The site falls within the zone of influence for recreational impacts on the Cotswold Beechwoods Special Area of Conservation and is therefore subject to Habitat Regulations Assessment. The applicant has agreed to contribute to the relevant strategic mitigation scheme, which is supported. An Appropriate Assessment has been undertaken by the Local Planning Authority, which concludes that there will be no adverse effect on the integrity of the designated site. Natural England has now been consulted on this basis, and their response is awaited prior to determination.

If the above cannot be resolved, refusal is recommended for the following reasons:

Insufficient information has been submitted, in particular, ecological survey information, assessment or mitigation to enable the Local Planning Authority to fully assess the extent to which species and habitats, including Dormouse that are protected under the Wildlife and Countryside Act 1981 (as amended), The Conservation of Habitats and Species Regulations 2017 (as amended) or listed as species of Principal Importance in S.41 of the Natural Environment and Rural Communities Act 2006 may be affected by the proposed development. The Local Planning Authority is therefore unable to fully assess the development in respect of the requirements of the National Planning Policy Framework (in particular Chapter 15). The Local Planning Authority is also unable to fully assess the proposals in the light of the three derogation tests, as described in the ODPM Circular 06/2005 and The Conservation of Species and Habitats Regulations 2017 (as amended).

26th May 2026 – revised comments

No objection subject to conditions.

Consultations Appendix

Thank you for the additional ecological information that has been provided. We can confirm that 'Ecology' considers the justifications to be robust and in line with current guidance and legislation.

Biodiversity Net Gain (BNG)

The applicant has confirmed that off-site units will be purchased from a habitats provider and their intention is to purchase from a local provider should the units be available. Required units = 8.45 habitat units. The proposal provides 109.58% net change for hedgerows which is welcomed and considered a significant gain. A legal agreement will be required to secure monitoring fees for a small site low complexity habitat £3,422.

HRA

The site falls within the zone of influence for recreational impacts on the Cotswold Beechwoods Special Area of Conservation and is therefore subject to Habitat Regulations Assessment. The applicant has agreed to contribute to the relevant strategic mitigation scheme, which is supported. An Appropriate Assessment has been undertaken by the Local Planning Authority, which concludes that there will be no adverse effect on the integrity of the designated site. Natural England has now been consulted on this basis, and their response is awaited prior to determination.

Therefore, no objection is raised for ecology, and the below conditions are recommended should the application be granted permission:

Compliance with Report including for EPS

The development shall be carried out in strict accordance with the recommendations in : Section 6 of the Reptile Survey Report prepared by All Ecology (April 2025), The Preliminary Ecological Appraisal Prepared by All Ecology (April 2025) including Plans, Landscape and Ecological Management Plan Prepared by All Ecology (June 2025) Including Plans, Construction and Environmental Management Plan (CEMP) Prepared by All Ecology (May 2026). All the recommendations shall be implemented in full according to the timescales laid out in the recommendations, unless otherwise agreed in writing by the Local Planning Authority, and thereafter permanently maintained for the stated purposes of biodiversity conservation

Reason: To ensure that habitats and species are protected in accordance with The Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife and Countryside Act 1981 (as amended), Circular 06/2005, 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.

Ecology Report Lifespan

If the development hereby approved has not commenced within 18 months of the date of this permission, an updated ecological survey shall be carried out by a suitably qualified ecological consultant and shall be submitted to and approved in writing by the Local Planning Authority. The Survey Report shall conclude whether the Ecological Mitigation and Enhancement Strategy/Precautionary Method of Working/CEMP and Reptile Surveys should be updated, and if so, the reports shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any works.

The development shall then be undertaken in full accordance with the approved Ecology report/EMES/PMW/CEMP.

Reason: To ensure that species and habitats are protected in accordance with The Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife and Countryside Act 1981 (as amended), Circular 06/2005, 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.

Lighting

The development hereby permitted shall not commence (including ground clearance works) until details of all external lighting (to include location, height from ground level, lux level contour plan, and hours of operation) have been submitted to and approved by the Local Planning Authority. External lighting proposed should conform to the protocols set out in Guidance Note 08/23 - Bats and Artificial Lighting at Night (BCT and ILP, 2023). The development shall be carried out in full accordance with such approved details. In discharging this condition, the Local Planning Authority expects lighting to be restricted in proximity to key habitats, trees, hedges, and the proposed bat boxes and to be kept to a minimum at night across the whole site to minimise impact on emerging and foraging bats. This could be achieved in the following ways:

- Narrow spectrum lighting used to avoid the blue-white wavelengths
- Lighting directed away from vegetated areas
- Lighting timed to provide some dark periods
- Connections to areas important for foraging will contain dark corridors.
- Lighting shielded to avoid spillage onto vegetated areas

Reason: To protect nocturnal wildlife in accordance with the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife and Countryside Act 1981 (as amended), Circular 06/2005, paragraphs 187, 192 and 193 of the National Planning Policy Framework (Chapter 15), 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.

HMMP- onsite significant

• A 30-year Habitat Management and Monitoring Plan (HMMP) shall be submitted to, and approved in writing by, the local planning authority prior to above ground works of the development hereby approved being undertaken. 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; and
- 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.

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 secure the delivery of at least a 10% biodiversity net gain for the required 30-year period and appropriate management of all habitats in accordance with Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021), paragraphs 187, 192 and 193 of the National Planning Policy Framework

Biodiversity Gain Plan

The Biodiversity Gain Plan submitted pursuant to the national biodiversity condition must be in accordance with any biodiversity or ecological information submitted with the planning application and implemented in accordance with the approved details.

Reason: To secure the delivery of at least a 10% biodiversity net gain through successful establishment and management of all newly created and enhanced habitats in accordance with Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of

the Environment Act 2021), paragraphs 187, 192 and 193 of the National Planning Policy Framework.

Informative:

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>.

The Gloucestershire Local Nature Recovery Strategy (LNRS) has been published by Gloucestershire County Council. This strategy must be used to inform the Strategic Significance Multiplier in the Statutory Biodiversity Metric or the Small Sites Metric, depending on which version has been submitted. As part of your discharge of condition application the biodiversity metric will need to be updated to refer to the published LNRS. Please speak to your project ecologist for further advice or alternatively, you can engage with the Council's pre-application advice service.

Natural England

8th May 2026

Thank you for your consultation on the above dated 28 April 2026 and received 28 April 2026. Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

DESIGNATED SITES [EUROPEAN] – NO OBJECTION SUBJECT TO SECURING APPROPRIATE MITIGATION

This advice relates to proposed developments that falls within the 'zone of influence' (ZOI) for one or more European designated sites, such as Cotswold Beechwoods SAC. It is anticipated that new residential development within this ZOI is 'likely to have a significant effect', when considered either alone or in combination, upon the qualifying features of the European Site due to the risk of increased recreational pressure that could be caused by that development. On this basis the development will require an appropriate assessment.

Your authority has measures in place to manage these potential impacts in the form of a strategic solution Natural England has advised that this solution will (in our view) be reliable and effective in preventing adverse effects on the integrity of those European Site(s) falling within the ZOI from the recreational impacts associated with this residential development.

This advice should be taken as Natural England's formal representation on appropriate assessment given under regulation 63(3) of the Conservation of Habitats and Species Regulations 2017 (as amended). You are entitled to have regard to this representation.

Consultations Appendix

Natural England advises that the specific measures (including financial contributions) identified in the strategic solution can prevent harmful effects from increased recreational pressure on those European Site within the ZOI.

Natural England is of the view that if these measures are implemented, they will be effective and sufficiently certain to prevent an adverse impact on the integrity of those European Site(s) within the ZOI for the duration of the proposed development.

The appropriate assessment concludes that the proposal will not result in adverse effects on the integrity of any of the sites as highlighted above (in view of its conservation objectives) with regards to recreational disturbance, on the basis that the strategic solution will be implemented by way of mitigation.

Having considered the assessment, and the measures proposed to mitigate for all identified adverse effects likely to occur as a result of the proposal, Natural England advises that we concur with the assessment conclusions. If all mitigation measures are appropriately secured, we are satisfied that there will be no adverse impact on the sites from recreational pressure.

If the Habitats Regulations Assessment (HRA) has not been produced by your authority, but by the applicant, it is your responsibility (as the competent authority) to produce the HRA and be accountable for its conclusions. We provide the advice enclosed on the assumption that your authority intends to adopt this HRA to fulfil your duty as competent authority.

Natural England should continue to be consulted on all proposals where provision of site specific SANGS (Suitable Alternative Natural Green Space) or other bespoke mitigation for recreational impacts that falls outside of the strategic solution is included as part of the proposal. We would also strongly recommend that applicants proposing site specific infrastructure including SANGs seek pre application advice from Natural England through its Discretionary Advice Service. If your consultation is regarding bespoke site-specific mitigation, please reconsult Natural England putting 'Bespoke Mitigation' in the email header.

Reserved Matters applications, and in some cases the discharge/removal/variation of conditions, where the permission was granted prior to the introduction of the Strategic Solution, should also be subject to the requirements of the Habitats Regulations and our advice above applies.

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

For any queries regarding this letter, for new consultations, or to provide further information on this consultation please send your correspondences to consultations@naturalengland.org.uk.

Parish Council

31st July 2025

Comments only.

The Parish Council has concerns about the following:

Lack of screening planned for, along Kidnappers

Loss of biodiversity

Impact on road safety having two entrances rather than one

26th September 2025 – revised comments

The Parish Council object to this application. It is disappointed that our concerns expressed on several occasions, regarding the two highways accesses to the development have not been addressed in this new application. This is a safety issues. Also we have concerns that the layout, design and materials of the affordable homes do not match the market homes as they do in Pear Trees.

24th June 2026 – additional comment

The Parish Council continue to object to this application as per our objection dated 26th September 2025.

Designing Out Crime Officer

31st July 2025

While looking at the planning application for a development off Kidnappers Lane to identify opportunities to increase Crime Prevention Through Environmental Design (CPTED). On the whole there aren't any changes required to the overall layout and design, but there is a curious feature in the centre of Plots 1 - 9.

It's not easily seen in the proposed Planning Layout, but can be easily seen in the Boundaries & Enclosure Key Plan. Each of the nine plots all show rear garden entry via a gate at the front or side of the property, yet there is a gated corridor that runs between each plot. This corridor offers no access to any of the properties.

My first concern, why has this fenced corridor been included? And secondly, how would this secluded area hidden behind 1.8 metre close board fencing be misused; whether that's children running around making noise or throwing things into gardens, access to the rear garden for burglary or residents throwing grass and garden cuttings over their rear fence.

Architects Panel

11th August 2025

Design Concept - The panel had no objection to the principle of this development.

Detail Design - The site layout and design of the units is acceptable. There was not a lot of detail about how the 'net zero' classification is being achieved or how it is being defined. Does this classification include the build or does it only relate to the future occupation and ongoing energy use.

Recommendation – Support

Urban Design

30th July 2025

- o Existing vegetation needs to be accurately plotted on the site layout plan. There are some very large tree specimens along Kidnappers Lane that don't seem to be accurately reflected in the proposal. The proposed dwellings along this lane do have a good amount of frontage space which is positive. Refer to arboricultural officer for comments in this regard.
- o Pedestrian connection to adjacent housing development - the possibility should be properly investigated and if possible, be implemented as a pedestrian connection from the side of plot 10 to Pear Tree Close. This would provide good connectivity across both parcels - connecting future and existing residents to each other, a requirement of local and national planning policy.
- o Plot 14 - garage to front of plot 14 creates a poor entrance vista at the main entrance to the scheme.
- o Plots 14-21 offer an interesting streetscape to Kidnappers Lane, the roof forms are animated with a good mix between gable and eaves-fronted dwelling forms and the courtyard-styled layout to the housing and garaging is well-considered. This is a good response to rationalising an urban to semi-rural character in this location.
- o Plots 1-6 - this arrangement is less successful than 14-21. Plots 1-6 propose 3 pairs of eaves-fronted semi-detached dwellings with no articulation in the roof form, elevation and layout to suit the semi-detached typologies proposed in this location. Suggest a reworking of these dwellings to achieve a more responsive edge to the main frontage and better related to plots 14-21.
- o Entrance road design - not convinced this road requires footpaths both sides of it for its entire length including around the large turning head to the rear. Consider using crossing

Consultations Appendix

points where necessary to break up the street and create a more pedestrian-friendly environment.

- o Boundary treatments facing the public realm should be constructed out of solid walling not timber fencing. Plots 6, 10, 13, 14, 21 all have timber fencing facing the public realm, this should be amended to a more long-lasting solution such as solid wall construction instead.

- o Elevations - the proposed design of the dwellings is of a simple, traditional pitch-roof built forms, articulated with contemporary window proportions and simple detailing. As mentioned earlier, plots 1-6 lack character and identity as achieved across the rest of the proposal. Consider including architectural elements to enliven the elevations such as gables, bays, dormer windows, possibly also including a contrasting material on a recessed/projecting features.

- o House types - there are no visible house type plans in the planning application submission. While most of the houses are visible from the streetscene, this still excludes the front elevations proposed for plots 7,8,9. Nevertheless we need to see all the elevations of all the houses and the accompanying floor plans.

- o Materials- the choice of materials across the site are simple and effective. A few of the plots lack the contrasting materials on the elevations (such as plots 1-6), and I cannot see any information on streetscenes for plots 7,8,9. Choice of material palette should be agreed on site as a planning condition.

Environmental Health

24th July 2025

Unusually the applicant has provided a Construction Management Plan at a relatively early stage in the planning process. This plan identifies suitable controls for noise and dust for a site of this size, and a condition requiring pre-approval will not be necessary. However I would advise that by the time construction commences there will be significant numbers of new homes in the immediate neighbourhood, and I would advise that any measures categorised as "If necessary" probably will be required.

The Ground Investigation Report recommends piled foundations for use across the site. There is considerable potential for the installation of piled foundations to cause loss of amenity for noise-sensitive property around the site. (Note my comments on new homes, above). Therefore I must recommend a condition is attached to any permission for this development to require the method of piling to be pre-approved by this department before development commences.

The same report does not raise significant issues regarding contaminated land, but make some relatively minor points regarding removal of suspected asbestos containing material (ACM) at spot locations and if found around the site. It also indicates a localised "hot spot" of contamination by PAH around trial pit TP05 and recommends further investigation of the site to determine the extent of this contamination and suitable remediation. Therefore I would request the standard condition relating to suitable investigation and reporting of any issues identified during the re-development is attached to any permission for this development.

Ward Councillor – Councillor Martin Horwood

25th July 2025

I would like to call this application in to committee please.

This is because it is a very significant development for Leckhampton and for the reasons given in ***** email below.

He is correct by the way that the May meeting with the parish council was in the form of a presentation at full council (actually 14 May not 16 May) with an informal discussion and was not a formal decision-making meeting. The PC planning committee to consider this application is taking place on 31 July.

Consultations Appendix

***** is quite right that this development is very relevant to policies in the emerging Neighbourhood Plan for Leckhampton and Warden Hill which is now at examination stage and should therefore be given very significant weight. Policies LWH5 on valued landscape is relevant as he says, but Policy LWH4 on green infrastructure and the related Appendix specifically identifies the land in question as including important green infrastructure even if development proceeds, and also Policy LWH1 on community facilities which affects this development as sufficiently far from any other community facilities and therefore obliged to include some in their development.

So this is an important test case for the application of Neighbourhood Plan policies and I would want to see these fully briefed to committee members and fully considered by them at full committee.

26th November 2025 – additional comments

I am going to object to this application for the following reasons, which I expect to be added to comments online and both of which point to too great a loss of amenity and overdevelopment of this site:

1. The huge 64.58% loss of biodiversity onsite and destruction of more than 50 mature trees within the site and along the boundary with Kidnappers Lane, which the ecologists' report quite clearly states means 'the loss of the majority of on-site habitats'. I think is clearly contrary to:

- Emerging Neighbourhood Plan policy LWH4 on green infrastructure (now at examination and so to be given considerable weight) which explicitly refers to this site in its detailed appendix, which states that development on this site should respect the importance of its hedgerows and mature trees and specifically those bordering Kidnappers Lane, most of which are lost in this proposal.

- NPPF paragraph 187, given the Secretary of State's 2016 recognition of the Leckhampton Fields are a valued landscape under the NPPF, even where undesignated, which has been further reinforced by repeated inspector's reports since then. I have attached the note explaining this which forms appendix 3 to the draft Neighbourhood Plan but which has also been reinforced by the more recent 2023 appeal decision by appeal inspector JP Sargent APP/B1605/W/23/3317851.

- JCS Policy SD9 which is absolutely clear that 'Harm to the biodiversity or geodiversity of an undesignated site or asset should be avoided where possible. Where there is a risk of harm as a consequence of development, this should be mitigated by integrating enhancements into the scheme that are appropriate to the location and satisfactory to the Local Planning Authority and that only 'exceptionally, compensatory enhancements off-site may be acceptable.'

- Vision theme C and Paragraphs 10.6 -10.23 of the Cheltenham Plan 2020 which says that "In addition to the protection and enhancement of areas of particular wildlife and geological significance, the Council is concerned to ensure that other habitats and features are conserved and improved. The Council recognises the contribution that small landscape features, such as shrubs and thickets, ponds, meadows and copses can make to the ecology and biodiversity of an area, especially where such features are linked... Continuous green areas - such as large linear open spaces, hedgerows, tree-lined roadside verges or banks, disused railway lines or watercourses, and green lanes - have greater ecological value than isolated spaces. Such 'green corridors' provide connected linkages for wildlife through the developed areas of the town or the countryside, as well as being important sites in their own right." This site is obviously connected to the nearby Local Green Space and through the LGS to the Cotswold National Landscape and the blue corridors of the Hatherley Brook into town in the other direction.

- The advice of CBC's own trees officer who says that the trees "collective loss would be regrettable - the proposal here is to remove almost all the trees from the site" and that "while

Consultations Appendix

the trees themselves may have limited immediate amenity value, their value for habitat should not be underestimated, and this broader sense of amenity value should be duly weighed in the planning balance. It would be preferable therefore for the scale of the development to be reduced in order to retain more of the existing features."

I hope all these policies and consultee comments will be drawn strongly to the committee's attention in your report. The thrust of them all is that mature habitats, biodiversity net gain and landscape value should be protected and achieved onsite wherever possible as is being done locally at the Farm Lane site permitted last week (my request for extreme care over the LEMP notwithstanding) and even Miller's development next to the Shurdington Road which is impressively safeguarding the Hatherley Brook line. Any loss of mature habitats, trees and biodiversity loss onsite should be minimised and exceptional. This application sadly represents a wholesale destruction with no real attempt to preserve the natural streetscape or biodiversity onsite at all.

2. The two exits from the site in quick succession dangerously disrupting an important cycle route to school for the growing High School Leckhampton. This is a serious concern for road safety and despite the GCC response to date I am clear that the two road exits planned are contrary to the Manual for Gloucestershire Streets:

- P13 of the MGS say that 'Developers should identify key facilities (such as shops, schools and bus stops) in the vicinity of the site and also other less regularly used facilities such as community centres, public open space, play areas and doctor's surgeries, which are likely to be frequent destinations for residents of a development or, and to a lesser extent, employees in the case of many commercial developments. Where practical to do so, opportunities priority should be given to pedestrian and cycle movements'.

- By quite unnecessarily cutting through an existing busy cycle path to school twice in rapid succession this development does not fulfil this obligation. This will naturally force cyclists into the busy road which - with more than 370 new houses planned in the immediater vicinity - is due to get even busier.

- Section 1.2 of the MGS guidance note on road safety audits reminds us that 'the 1988 Road Traffic Act places a statutory duty on local authorities to prevent accidents on new roads. This is now generally interpreted as a duty to carry out Road Safety Audits' and that 'all schemes or developments which may have an impact or alter the current highway layout must go through the Road Safety Audit procedure.' I would be interested to see the road safety audit carried out in this case which I assume would be required as tow new roads are being created which disrupt the existing cycle and footpath layout as explained above. Did the road safety audit address the issue of the heavy use of this stretch of road for school student walking and cycling to school?

18th June 2026 – additional comments

I am the ward councillor for Leckhampton.

First I would like to update my comments on this application with respect to policies in the emerging Leckhampton with Warden Hill Neighbourhood Plan which has now been approved at referendum by a very large majority and for which the order should be made at full council this coming Monday 22 June 2026. It must therefore be given very considerable weight in decision-taking.

It should be noted that one policy referred to in my previous comments was amended after independent examination. Policy LWH3 on green infrastructure (previously draft policy LWH4) does not now refer specifically to this plot but it still requires every opportunity to be taken for new development to contribute to local green infrastructure provision either through onsite provision or through the enhancement of existing provision. A huge onsite loss of 64.58% in biodiversity is quite obviously contrary to this policy. The 'revised document' described as the

Consultations Appendix

'statutory biodiversity metric calculation tool' may have revised this number but this is inaccessible from the public access site. But if the latest calculation is remotely close to such a huge onsite loss it is clearly against the spirit of all the local policies I quoted before as well as LWH3.

It should also be noted that in seeking to undermine the ecological arguments relating to this site, the applicant's ecologist, All Ecology Ltd, made a downright false statement in their letter of 20 May that 'the site is located on the edge of urban areas, which enclose the nearby surrounding area, and there is limited connectivity to the wider countryside, particularly woodland.' The newly adopted Local Nature Recovery Strategy interactive map (and indeed a simple walk around the site) shows absolutely unambiguously that this is not the case. The habitats on this site are directly connected to neighbouring fields and the Local Green Space which features a host of biodiversity potential measures including potential measure 014 creating mixed mosaic habitats which maps right up to the site and measure 024 natural flood risk management which includes the whole site as well as neighbouring fields. These are connected by green and blue infrastructure all the way into The Park in town and east into the open countryside including the newly designated Cheltenham Escarpment National Nature Reserve. The LNRS of course has statutory force.

More significantly I want to draw the council's attention to Policy LWH1 of the Neighbourhood Plan. This clearly states that new residential developments on sites larger than 1 hectare (the application site is 1.74ha) should not normally be permitted unless suitable local grocery shop provision exists or is to be provided within 800 metres of the development site subject to viability and site-specific considerations. As Fig 5 on p27 of the plan shows, and accurate measurement confirms, the grocery shop provision is Salisbury Avenue is more than 800m to the west - 906m in fact. Previously (and as shown in Fig 5) most of the site was always more than 800m from the nearest grocery shop provision to the east, the Leckhampton Road Co-Op, 858m away at its furthest point but scraping inside 800m at 768m away at its easternmost corner. But since the map was drawn up, that Co-Op has relocated to Pilley Lane and no part of the application site is now within 800m of that store so even though the policy really did apply already, it is absolutely unambiguous now.

This emerging policy was pointed out to the applicants during their pre-application engagement with the Parish Council and the successful new Co-Op planning application in September 2023 predated this one by some considerable time so both the distances and the emerging policy were known to this applicant at the time of application.

The caveats in LWH1 relate to viability and site-specific considerations. The site specifics are this is the central position between the nearest grocery provision which is over 800m away in both directions as the crow flies but much further by walking or cycling in reality and not an easy route, in one case crossing the busy A46 Shurdington Road and in the other travelling up the meandering and often highly congested Church Road. The Lanes and Brizen Lane estate, new Redrow estate (377 homes), new Kendrick homes and new Miller development (350 homes) and Newlands' previous developments have all been built between these roads around Kidnappers Lane and Farm Lane without any new community facilities ever being provided. The new 900 place High School Leckhampton is also very nearby. So altogether there is a clear need and likely very high demand for a new corner shop or small store within walking distance of all of these. The obvious alternative which most people employ now is to get in their cars, adding to the congestion, particulate pollution, carbon emissions and risk in the immediate vicinity of a school.

On viability, there is, as I have explained, a huge unmet need and likely very high demand for an accessible local store between the A46 Shurdington Road and Church Road. But it should also be borne in mind that this is in reality, phase 4 of four closely connected developments in the immediate vicinity all brought forward in quick succession by the same developer. 21/00847/REM, 22/00535/FUL, 22/00535/FUL and this application could easily have been applied for in one application and together amount to 64 new homes, a substantial

Consultations Appendix

development in which any argument of non-viability would be far harder to make. It would be quite wrong to allow a developer to evade this requirement simply by breaking their development up into four phases as Newlands have done.

Needless to say I maintain my objection, including most strongly to the two road exits with a few metres of each other across a busy walking and cycling to school and in close proximity to that school, contrary to the Manual for Gloucestershire Streets. I note that even the most recent comments by the county council as Local Highways Authority dated 2 June 2026 comments that the secondary exit "needlessly interrupts cyclist priority".

I object.

Wales and West Utilities

14th July 2025

See response in documents tab.

Gloucestershire Centre for Environmental Records

17th July 2025

See response in documents tab.

GCC Minerals and Waste Policy

30th July 2025

See response in documents tab.

Housing Enabling

1st August 2025

See response in documents tab.

22nd September 2025 – revised comments

See response in documents tab.

Green Space Team

9th September 2025

See response in documents tab.

GCC S106 Infrastructure Team

15th September 2025

See response in documents tab.