



**CHELTENHAM**  
BOROUGH COUNCIL

# **Cheltenham Borough Local Plan**

## **Second Review**

**Adopted July 2006**

**Cheltenham Borough Council**

**Cheltenham Borough Local Plan**  
**Second Review**  
1991 - 2011

Adopted by Council  
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### **GLOSSARY**

### **SCHEDULES**

- Policies
- Plans
- Tables

## Part 1: Introduction

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# 1: INTRODUCTION

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## BACKGROUND

- 1.1 Statutory development plans provide the primary basis for the consideration of land use and development. In Cheltenham Borough the development plan consists of a number of documents:
- Regional Planning Guidance for the South West (RPG10)
  - Gloucestershire Structure Plan
  - Cheltenham Borough Local Plan
  - Gloucestershire Minerals Local Plan
  - Gloucestershire Waste Local Plan.
- 1.2 Cheltenham Borough Council has a statutory duty to prepare a borough-wide local plan. A schedule of previous development plans is provided in appendix 1.

## CHELTENHAM BOROUGH LOCAL PLAN: SECOND REVIEW

### Title and status

- 1.3 This plan is titled “**Cheltenham Borough Local Plan Second Review**”. It replaces the first review of the local plan adopted in December 1997 and has been adopted by the Council as a statutory district-wide Local Plan. Throughout this document the Local Plan is referred to as ‘*the Plan*’. All references where appropriate have been updated as of June 2006.

### Relationship to the Structure Plan

- 1.4 The Plan has been prepared within the context of the Gloucestershire Structure Plan Second Review and covers the outstanding period to 2011. The County Council has, under section 46 of the Town and Country Planning Act 1990, issued a statement that the Local Plan is not in conformity with the Structure Plan, because it has not made provision for a choice of employment sites in accordance with Structure Plan policy E.1.

### Relationship to the Mineral and Waste Local Plans

- 1.5 Gloucestershire County Council is the Mineral and Waste Planning Authority with a statutory duty to set out the land use requirements of mineral development and waste management in Gloucestershire. This Plan does not duplicate the policies and proposals of the Gloucestershire Minerals Local Plan (2003), or the Gloucestershire Waste Local Plan (2004). However, cross-reference is made to these plans where this is likely to be helpful to developers and the public.

### Functions of the Plan

- 1.6 The Plan is intended to perform 4 functions:
- to develop the policies and proposals of the Structure Plan
  - to provide a detailed basis for development control
  - to provide a basis for co-ordinating development and other use of land
  - to bring local and detailed planning issues before the public.

### Information base

- 1.7 Statistical information in the Plan has been compiled up to 31 March 2006, where possible. All developments with current planning permission are considered as commitments.

### Form and content

- 1.8 The Plan consists of a **Written Statement** and a **Proposals Map**. The Written Statement contains policies and Council Actions for the control of development in Cheltenham Borough with supporting justification. The sites and areas of land to which individual policies apply are shown on the Proposals Map, which is appended to the Written Statement. Appendices to the Written Statement also form part of the Plan, and contain material against which planning applications will be determined.

- 1.9 Policies relating to the development or use of land, the improvement of the physical environment and the management of traffic, are printed in bold typeface to distinguish them from the rest of the text. The ordering of sections and the numbering of policies do not imply any relative priority. The policies should be read in conjunction with one another and the supporting text. All policies, unless stated otherwise, apply to the whole Borough.
- 1.10 The term 'development', which appears in the policies, means the carrying out of building, engineering, mining and other operations in, on, over or under land, or the making of any material change in the use of any buildings or other land. It includes demolition, rebuilding, structural alterations of or additions to buildings, and other operations normally undertaken by a person carrying on business as a builder, including the subdivision of a building or the intensification of an existing use. This definition is subject to exceptions set out in the Town & Country Planning (Use Classes Order) 1987, and the Town & Country Planning (General Permitted Development Order) 1995.
- 1.11 Except where otherwise indicated by the Plan's policies, existing land uses are expected to remain largely unchanged during the remainder of the Plan period.

### **Interpretation of policies**

- 1.12 The Plan's policies are expressed precisely and positively as a statement of the Council's intent on a matter. In the exercise of its planning functions, and in particular in determining planning applications, the Council will always have regard to the Plan's policies, where relevant, and to other material considerations. In accordance with Section 38(6) of the Planning and Compulsory Purchase Act (2004), the Council will determine planning applications in accordance with the policies of the Plan, unless other material considerations indicate otherwise. To this extent, flexibility in the decision-making process is explicit in legislation and is therefore not repeated in the Plan's policies.

### **DETERMINATION OF PLANNING APPLICATIONS**

- 1.13 The Town and Country Planning Act 1990 requires the Council, in determining planning applications, to have regard to the provisions of the development plan and to any other material considerations. Where there are policies relevant to a planning application, the Council must determine the application in accordance with the plan unless material considerations indicate otherwise.
- 1.14 **In exercising its functions under the Act, the Council will have regard to all relevant development plan policies, and will make its determinations in relation to the plan as a whole.** Where a policy is subordinate to or contingent upon other policies, this is specified in the policy.
- 1.15 Where a planning application is made for the renewal of a planning permission, the application will be assessed afresh against all the policies of the plan. Changes in circumstance or policy since the original permission was granted, particularly any relating to issues of sustainability, may mean that permission is not renewed.

### **SUPPLEMENTARY PLANNING GUIDANCE**

- 1.16 Supplementary Planning Guidance plays a useful role in the planning system. In particular, it can help those submitting planning applications by elucidating or exemplifying details of policy. Although it does not form part of the statutory plan, supplementary planning guidance must be consistent with national and regional planning guidance and local plan policies. It cannot replace local plan policies and carries lesser weight. However, Supplementary Planning Guidance which has been the subject of public consultation and a Council resolution to adopt it can be taken into account as a material consideration when planning applications are determined by the Borough Council, in accordance with paragraph 5.22 of PPS12.
- 1.17 The following Supplementary Planning Guidance has been adopted and published by the Council:
- planning obligations
  - amenity space in residential development
  - play space in residential development
  - telecommunications masts, antennas and base stations

- travel plans
- sustainable drainage systems
- security and crime prevention
- sustainable developments
- sustainable buildings
- conservation area character statements
- signs and advertisements on listed buildings in commercial use
- submission of planning applications
- planning obligations (transport)
- planning obligations (including education, community facilities and skills analysis)
- affordable housing
- domestic alterations and extensions
- public art
- landscaping in new development.

1.18 The following will be published during 2006 - 2009 by the Council as Supplementary Planning Documents (see Local Development Scheme for publication dates):

- shopfront design guide
- urban design framework
- Central Cheltenham conservation area appraisal, see table 9
- Swindon Village conservation area appraisal, see table 9
- waste minimisation
- local index of buildings of local importance
- play space and amenity space (replacing SPG's on play space and amenity space in residential developments)
- residential alterations and extensions
- affordable housing (replacing the affordable housing section of the planning obligations SPG)

1.19 Development briefs for the following areas have been adopted by the Borough Council as Supplementary Planning Guidance:

- St. Margaret's
- Cheltenham Spa Railway Station
- The Park
- Outer West area
- Gloucester Place, Sherborne Place and Fairview Road.

1.20 During the plan period, the Borough Council will prepare further supplementary planning documents, including development briefs and design guides, and an urban design framework. Following public consultation, the Council will seek to adopt such documents, which it will then take into account as a material consideration in planning decisions.

## 2: CHELTENHAM BOROUGH

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### THE BOROUGH

#### Area

- 2.1 Cheltenham Borough is based on the town of Cheltenham and covers an area of 4,680 hectares. The Borough is primarily urban, although it includes surrounding areas of countryside. 17% of the Borough is designated as Green Belt, 22% as an Area of Outstanding Natural Beauty.

#### Location

- 2.2 Cheltenham lies between the Cotswolds and the vale of the River Severn. The town itself is relatively flat, although there are gentle slopes down to the River Chelt, which runs through the town centre. Beyond Leckhampton, Charlton Kings and Prestbury the land rises steeply towards the escarpment of the Cotswold Hills, which have been designated an area of outstanding natural beauty.
- 2.3 Cheltenham is one of Gloucestershire's two major urban settlements. The City of Gloucester, which is of comparable size to Cheltenham, is only 12 kilometres to the South West; the growth of two major towns in such close proximity is unusual. Both are sub-regional shopping centres.
- 2.4 Three main roads pass through Cheltenham; the A40 London/South Wales route; the A46/B4632 Coventry/Bath road; and the A435 Evesham/Cirencester road. In addition the M5 motorway, linking Birmingham and the north to Bristol and the West Country, passes within 5 kilometres of the town centre.
- 2.5 Cheltenham Spa railway station, which is 1.6 kilometres from the town centre, is on the Bristol/Birmingham line, with an inter-city service to London via Gloucester. Located at Staverton to the west of Cheltenham and the M5 there is Gloucestershire Airport, a civil airport which is relatively small, but has customs facilities for flights to the continent.

#### Historical development

- 2.6 Although Cheltenham has existed as a small town since Saxon times, centred on the present High Street, it was not until mineral waters were discovered in the vicinity in 1718 and began to be exploited in the 1740's that the town began to expand. The visit of George III to take the spa waters in 1788 established the town as a fashionable resort, although large-scale growth did not take place until more settled times, after the French wars in 1815.
- 2.7 Extensive development from this date gave rise to large areas of Regency architecture at Pittville, Montpellier and Lansdown with associated elegant parks, private grounds and wide, tree-lined avenues which now form the basis of the Cheltenham (Central) Conservation Area.
- 2.8 It is this Regency townscape, together with the high quality shopping and other facilities, which the town provides, and its fine topographical setting, which has given the town its present image and makes it a major attraction for tourists.

#### The present town

- 2.9 In more recent years, Cheltenham has become an important employment centre with a strong emphasis on office work, accommodating the national and regional administrative headquarters of a number of major firms together with the Government's Communication Headquarters (GCHQ), which is a civil service department. On the manufacturing side, a wide range of industries is represented in the Borough, although light engineering is a speciality.
- 2.10 Recreation and tourism have also become very important. Besides its museums, parks and gardens, the Borough possesses many sporting facilities, including swimming pools, an athletics stadium and indoor recreational facilities. Cheltenham is famous for its national hunt racing and also hosts the popular county cricket festival annually.
- 2.11 The Borough is an educational centre, with a number of public schools, a College of Further Education (Gloscat), and the University of Gloucestershire. The University plays an important role in the life of

Cheltenham, providing education for over 8,000 students and direct employment for 1,250 people at five campuses around the town. The annual festivals of music and the Everyman Theatre enrich the Borough's cultural life and give the town a more than local significance.

### **Context**

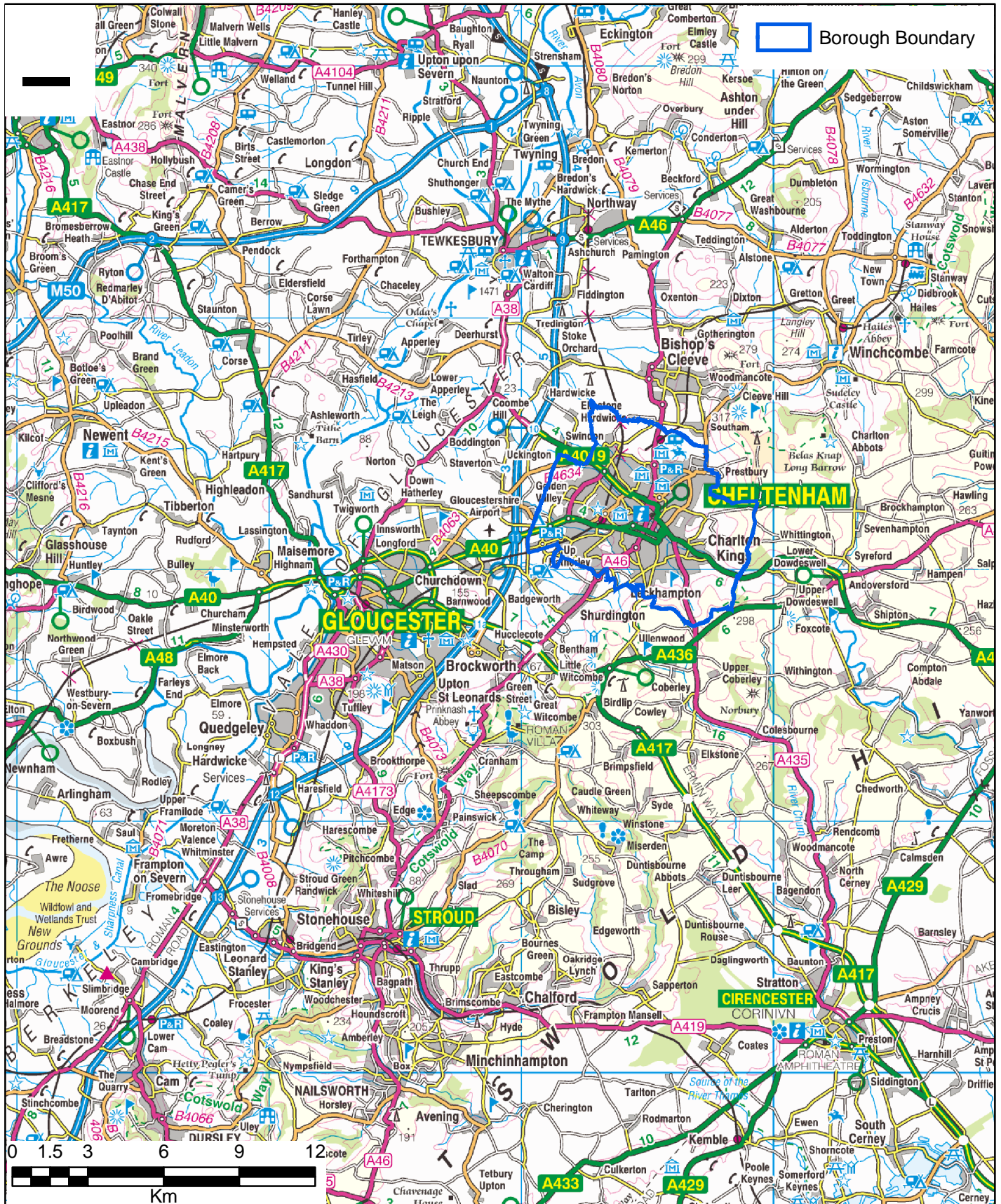
- 2.12 Cheltenham Borough adjoins 2 other District Councils – Cotswold District to the east and Tewkesbury Borough to the north, south and west (see Plan 1).
- 2.13 Cotswold District includes a substantial part of the Cotswolds Area of Outstanding Natural Beauty, and contains many scattered villages. Future development in the area will be focused on the largest town, Cirencester.
- 2.14 Tewkesbury District lies largely in the Severn Vale and provides a hinterland for both Cheltenham and Gloucester. Both Tewkesbury town and Bishop's Cleeve have grown significantly in the last decade, and further development has taken place at Brockworth, to the east of Gloucester. There is a strong inter-relationship between the settlements in the central Severn Vale area, with substantial traffic movements, particularly journeys to work.
- 2.15 Cheltenham's role as a sub-regional centre will ensure that the growing population of these areas will continue to look towards it for employment and other services and facilities, and will generate an increasing number of trips into the town.

### **THE PEOPLE**

- 2.16 The population of the Borough in 2001 was recorded as 110,013 (48.5% men, 51.5% women).
- 2.17 The proportion of children aged 0 – 14 (17.1%) is slightly less than the national average (18.9%).
- 2.18 The proportion of elderly people, especially the over 85's, is constantly growing due to increased life expectancy. Cheltenham has a slightly larger proportion of pensioners (19.6%) than does the UK as a whole (18.4%).
- 2.19 Despite a fairly static population, the number of households living in the Borough has been steadily increasing, as the average size of households continues to shrink. By 2001 there were 48,164 households compared to 43,752 in 1991. The average household size is 2.21 persons. Two thirds of the newly created households are likely to consist of single people, and overall the number of one person households is rapidly growing (34.4%), especially single female pensioners.
- 2.20 Unemployment in the Cheltenham Travel to Work Area is consistently lower than national averages. The unemployment rate of the Borough is also below the national average (2.6% in April 2001 compared to the national average of 3.2%).



# PLAN 1: CHELTENHAM BOROUGH - THE CONTEXT



## Part 2: Development Strategy

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## 3: STRATEGY CONTEXT

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- 3.1 This part of the plan sets out the Council's development strategy for Cheltenham - its proposals for land use, development and management of the physical environment.

### **GOVERNMENT GUIDANCE**

- 3.2 The Government's policies on different aspects of planning are set out in Planning Policy Guidance (PPG) notes and Planning Policy Statements (PPS). Local planning authorities must take account of these policies when preparing development plans. PPGs/PPSs cover a number of key issues of particular relevance to this plan.

### **Sustainable development**

- 3.3 In 1999, the Government published a national sustainable development strategy, 'A better quality of life', the objective of which is to ensure *'a better quality of life for everyone, now and for generations to come, through:*

- *social progress which recognises the needs of everyone*
- *effective protection of the environment*
- *prudent use of natural resources*
- *maintenance of high and stable levels of economic growth and employment.'*

### **Sustainable communities**

- 3.4 In February 2003, the Government launched the Communities Plan (Sustainable Communities: Building for the future). This plan sets out a long term programme for action for delivering sustainable communities. The Plan makes a step change in the delivery of sustainable development, with the aim to *"increase prosperity, reducing inequalities, more employment, better public services, better health and education, tackling crime and anti social behaviour."*

- 3.5 The Government recognises the important role of the planning system in delivering sustainable communities. In particular, Government guidance promotes:
- provision for the nation's needs for commercial and industrial development, new homes and other buildings, while respecting environmental objectives
  - conservation of cultural heritage and natural resources, including wildlife habitats and important physical features
  - concentration of development which generates a large number of trips in places well served by public transport, particularly town centres, in order to minimise the need to travel
  - development of land within urban areas, particularly previously-developed sites and empty buildings, provided that this creates or maintains a good living environment, before considering the development of greenfield sites
  - best and efficient use of land of land identified as appropriate for development.

### **Mixed-use development**

- 3.6 Usually within town centres, but sometimes elsewhere, mixed-use development can help create vitality and diversity and reduce the need to travel. It can add to the security of an area and assist in achieving a high standard of urban design.
- 3.7 Government guidance indicates that development plans should identify individual sites suitable for mixed-use development, itemising those uses considered desirable.

### **Green Belts**

- 3.8 The Government attaches great importance to green belts as a means of checking the unrestricted sprawl of large built-up areas, preventing neighbouring towns from merging, safeguarding the countryside from encroachment, and preserving the setting and special character of historic towns.
- 3.9 The most important feature of green belts is their openness and PPG2 includes a general

presumption against inappropriate development in green belts, which it defines by reference to a range of specific uses regarded as not inappropriate. Green Belts are established through development plans. Once the general extent of a green belt is defined, it should be altered only in exceptional circumstances. Similarly, detailed boundaries defined in adopted local plans should be altered only exceptionally. However, Regional Planning Guidance for the South West (see paragraphs 3.28 – 3.35) requires that boundaries should be reviewed in structure plans to ensure future patterns of development are sustainable (see paragraph 3.33).

### **Housing**

- 3.10 The Government intends that everyone should have the opportunity of a decent home and that there should be greater choice and better mix in the size, type and location of housing. The housing needs of all in the community should be recognised, including those in need of affordable or special housing.
- 3.11 The Government requires local authorities to adopt a 'plan, manage and monitor' approach to housing development, with the planned level of housing provision and its distribution being based on a clear set of policy objectives, linked to measurable indicators of change.
- 3.12 The Government has set a national target, to be achieved by 2008, of 60% of additional housing to be provided on previously-developed land or through conversions. The proportion will vary according to the characteristics and housing requirements for each local authority and local authorities should adopt their own land recycling targets. The target should take in account the number of empty properties and the scope for reducing numbers. In support of this objective, the Government requires all local planning authorities to undertake urban housing capacity studies.
- 3.13 In order to make best use of available land, local authorities must promote higher densities and lower car parking standards.

### **Employment**

- 3.14 One of the Government's key objectives is to encourage continued economic development and growth by creating conditions in which business can compete freely, develop and exploit new technologies and generate sustainable jobs.
- 3.15 In helping to create the right conditions in which businesses can thrive, local authorities must take account of the need to revitalise and broaden the local economy, the need to stimulate employment opportunities, and the importance of encouraging industrial and commercial development, providing a range of suitable sites which take account of the needs of existing and future businesses.

### **Open space**

- 3.16 Open spaces, including public open spaces, playing fields, allotments and gardens, are essential amenities in urban areas. PPG 17 indicates that local authorities should maintain an adequate supply of open space and sports and recreational facilities to local standards based on an assessment of existing and future local needs.

### **Transport**

- 3.17 Government objectives are to integrate planning and transport at the national, regional and local level to promote more sustainable transport choices and to reduce the need to travel, especially by car.
- 3.18 To achieve these objectives, Government guidance requires the following:
- complementary land use and transport strategies
  - major generators of travel demand to be located in locations accessible by public transport, especially town centres, with maximum use being made of the most accessible sites
  - facilities and services used daily to be located in local centres
  - parking policies which promote sustainable transport choices and reduce reliance on the car, particularly for work journeys
  - priority being given to pedestrians over vehicles in town centres
  - elsewhere, greater provision to be made for buses, pedestrians, cyclists and people with disabilities



- exploring the potential, and identifying any proposals for improving rail travel
- moving freight by rail where feasible
- the protection of sites and routes critical to developing transport choices.

### **The historic environment**

- 3.19 The Government considers the historic environment to be a central part of the country's heritage and national identity, which contributes to the quality of life and economic prosperity.
- 3.20 Effective protection for all aspects of the country's historic environment is fundamental to the Government's policies for environmental stewardship, with particular emphasis on protecting conservation areas, listed buildings and open space.

### **The natural environment**

- 3.21 The Government considers that the protection and improvement of the natural environment plays an important role in delivering an urban renaissance of towns and cities. Consideration of the natural environment is wider than simply the protection of traditional open spaces, taking into account areas such as highway verges, incidental open spaces, watercourses and ponds.
- 3.22 These spaces provide essential connections and habitats for wildlife and biodiversity, contribute to the quality of the public realm, and provide opportunities for informal recreation and education. These spaces are found throughout the Borough and are addressed in further detail in the urban green environment and countryside chapters of this plan.

### **Design**

- 3.23 The Government places emphasis on the promotion of good design, both for individual buildings and urban design, which it considers can help promote sustainable development, improve the quality of the existing environment, attract business and investment, and reinforce civic pride and sense of place.

### **Crime and disorder**

- 3.24 The Crime and Disorder Act 1998 places a duty on local authorities in the exercise of their functions to prevent crime and disorder. The planning system has a role to play, particularly in establishing principles of design, layout and landscaping for new residential and commercial development.

## **REGIONAL PLANNING GUIDANCE**

- 3.25 Gloucestershire and Cheltenham Borough lie in the south-west region of the country. Regional Planning Guidance is provided by RPG10. This provides a spatial strategy for the plans and strategic decisions of a wide range of public; private and voluntary sector agencies in relation to land use, transport, economic development and the environment over the period to 2016.
- 3.26 Its vision and policies seek to:
- promote a sustainable development pattern and set out a sequential approach to the location of development
  - minimise the need to develop on greenfield sites and to travel
  - develop an integrated approach to urban and rural areas
  - concentrate development at the Principal Urban Areas, and other designated centres of growth
  - adopt a sequential approach to the selection of locations for future development and investment.
- 3.27 The spatial strategy identifies Cheltenham as a Principal Urban Area (PUA), areas which '*offer the greatest potential for accommodating change and growth in a sustainable way*'.
- 3.28 It requires provision of 2,400 net additional dwellings in Gloucestershire each year and sets a target for the region as a whole of 50% of new housing to be provided on previously developed land.
- 3.29 Referring to Cheltenham, the guidance states: '*Cheltenham contains areas of high architectural*

*quality. It is an important centre for tourism and shopping. Its development is constrained by the Cotswolds AONB. Further sites for development within or adjoining the town are limited, although there is a recognised need for economic diversification'.*

- 3.30 Its policies for Cheltenham require that:
- economic and housing development is focused at sustainable locations, either through the intensification of development within the urban area or, if all development needs cannot be met in this way, through planned urban extensions
  - green belt boundaries are critically reviewed to examine whether alterations are needed to facilitate the most sustainable solution for accommodating long term development needs
  - investment should be made in public transport and in other measures to develop and improve sustainable transport networks, reducing road traffic and congestion, in and around the urban area
  - the environment is conserved and enhanced.

### **SUSTAINABILITY SOUTH WEST**

- 3.31 Sustainability South West, the South West Round Table for Sustainable Development, was given the task by the Government of preparing a sustainable development framework for the region. The framework was published in December 2000.
- 3.32 The aim of the framework is to strive towards: a fairer society with,
- better access for all to opportunities, services and facilities
  - the wise use of resources
  - safeguarding and enhancing our unique natural and built environment
  - valuing and protecting cultural assets and social networks
  - economic development that meets all people's needs and respects the environment

### **SOUTH WEST REGIONAL DEVELOPMENT AGENCY**

- 3.33 The South West of England Regional Development Agency came into being in 1999, with the overall aim of making the region more prosperous and its businesses more competitive.
- 3.34 The Agency has published a strategy for the period 2000-2010, which relates closely to the draft regional planning guidance. It has invited seven sub-regional partnerships, including one led by the Gloucestershire Development Agency, to prepare and implement sub-regional strategies.
- 3.35 The Regional Development Agency may offer opportunities for the promotion of and investment in regeneration and other projects.

### **GLOUCESTERSHIRE STRUCTURE PLAN**

- 3.36 The Second Review of the Gloucestershire Structure Plan, which covers the period 1991-2011, was adopted by the County Council in November 1999.
- 3.37 The strategy of the Second Review is founded on principles of sustainable development, ensuring that environmental, economic and social issues are addressed in an integrated manner. It requires most residential and employment development to be provided in the Central Severn Vale of Gloucestershire (as defined in paragraph 6.5.4 of the plan), together with the maintenance and enhancement of the predominance of Gloucester and Cheltenham as the focus for new development.
- 3.38 The plan requires the provision of an additional 50,000 dwellings in Gloucestershire. 7,350 of these are to be provided within Cheltenham Borough, which is greater than forecast needs, and 9,900 in Tewkesbury Borough, some of which are likely to be built on the edge of or close to Cheltenham. Much of this development will have a direct impact on Cheltenham by way of additional traffic and increased demands on community facilities and services. The plan continues to require the safeguarding of those aspects of the environment, which contribute to local character, including the

landscape and the built and historic environment.

## **LOCAL TRANSPORT PLAN**

- 3.39 This local plan was prepared within the context of the draft Local Transport Plan (2000). This has replaced the Transport Policies and Programme. A second Gloucestershire Local Transport Plan was adopted March 2006.
- 3.40 The plan sought to move to a more sustainable transport system in Gloucestershire. Its objectives were consistent with the overall concept of integrated transport as envisaged by the Government's 1998 Transport White Paper. These are to:
- protect and enhance the built and natural environment
  - improve safety for all travellers
  - contribute to an efficient economy and support sustainable economic growth in appropriate locations
  - promote accessibility to everyday facilities for all, especially those without a car
  - promote the integration of all forms of transport and land use planning, leading to a better, more efficient transport system.
- 3.41 The Central Severn Vale area, which includes Cheltenham, Gloucester and their immediate environs, is the most urbanised part of Gloucestershire, with 46% of the county's population and 54% of jobs and a wide range of services and facilities. The two main centres act as major generators of traffic, and the vibrant economy of the area will ensure that traffic pressures continue to grow.
- 3.42 The Local Transport Plan includes a strategy for the Central Severn Vale, which seeks to provide a framework for the development of a sustainable transport network within the area and between the area and other parts of the county. It places emphasis on measures for pedestrians, cyclists, public transport, traffic management, and parking.

## **GLOUCESTERSHIRE BIODIVERSITY ACTION PLAN**

- 3.43 The Gloucestershire Biodiversity Partnership has published a Biodiversity Action Plan. Its purpose is to focus local policies and resources on conserving and enhancing the county's biodiversity using a broad partnership approach. It sets out action plans for both habitats and species.

## **COMMUNITY PLAN**

- 3.44 In October 2003, the Cheltenham Strategic Partnership published a community plan for Cheltenham, 'Our Future, Our Choice', based upon the following vision:

***"The vision for Cheltenham in the year 2020 is for it to be a vibrant, safe and sustainable town where residents, workers and visitors enjoy the benefits of social, environmental and economic well-being".***

- 3.45 The plan identified six community themes:
- an attractive and safe town
  - a thriving economy
  - a decent standard of living
  - to live life to the full
  - safe and accessible travel and transport
  - a healthy environment.
- 3.46 The Community Plan identified five priority areas for the five year period to March 2007:
- to reduce crime and disorder, and the fear of crime, in our communities
  - to improve the supply and standard of affordable housing
  - to reduce inequalities in our communities and develop a sense of community

- to protect and improve the environment of Cheltenham and make it a beautiful and sustainable town
- to improve sustainable travel and transport options.

3.47 The local plan will contribute to the land use and development aspects of the community plan's vision, themes and priorities through the principles which are set out in eight core policies, see chapter 4.

## **CORPORATE POLICIES**

This local plan has been prepared within the context of the following corporate policies;

### **The 'Strategy for Regeneration'**

3.48 Although Cheltenham is a relatively affluent town, it contains areas of deprivation and poor environmental quality.

3.49 In 1996, the Council published a Strategy for Regeneration to consolidate Cheltenham's strengths, address its problems and provide a direction for the future. It set out a number of initiatives for the regeneration of older housing areas with high levels of social deprivation and malaise, the redevelopment of older industrial areas exhibiting signs of decline in use and environmental quality, the development of vacant sites, and the improvement and restoration of the fabric of the town.

3.50 Some of these initiatives have been completed or are in progress, but others remain. All these measures have been reviewed and, where appropriate, included as proposals within this plan.

### **Housing strategy**

3.51 The Council's housing strategy *Our homes, our communities* covers the period 2003-2005. It aims to ensure the provision of affordable and well-maintained public and private housing in Cheltenham to meet assessed housing needs, and to encourage balanced, mixed tenure communities.

3.52 The housing strategy seeks the efficient management of the Council's housing stock, amongst other objectives, to minimise vacancies and create a safe and sustainable residential environment. An important initiative in pursuit of this objective involves a number of major redevelopment schemes, which may produce a net loss of housing.

3.53 The Council has also employed Fordham Research to undertake a *Housing Needs Survey*, which has identified a continuing need for affordable housing in Cheltenham. As a result, the Council will continue to pursue all opportunities to secure additional affordable housing through the planning system.

### **Economic development and regeneration**

3.54 In 1999 the Council commissioned a consultant to construct an economic model of the Cheltenham economy and to identify the key issues that need debate as a basis for the production of an economic strategy.

3.55 The report - 'Cheltenham: its economy its future' - indicated that the town was relatively affluent, with levels of income and growth above the national average. The economy is broadly based with 28% of output deriving from the financial and business sectors, 20% from public administration, 18% from manufacturing, and 20% from distribution, hotels and catering. Its particular strengths are in tourism, shopping, education, construction and manufacturing.

3.56 The report concluded that the economic success of the town is a product of its total heritage – its history and environmental quality, its people and its business tradition, and recommended that the cultivation of this total approach must be maintained. It also recognised as a weakness the lack of greenfield sites available for industrial development. Consultation on the findings of the report further identified a shortage of modern, adaptable and accessible office and business space, and highlighted the absence of a business or information technology park as a weakness. The economic model is updated annually.

3.57 Based on the findings of the report and consultations, the Council published an *Economic*



*Development and Regeneration Strategy*, which includes five strategic priorities for Cheltenham. These are:

- a diversified and sustainable local economy
- a quality approach to the town
- a skilled labour force
- employment creation and economic regeneration
- sustainable transport infrastructure that meets business requirements.

### **Cultural strategy**

- 3.58 In August 2002, the Council published a *Cultural Strategy* for the period 2002-2007. This aims to offer everyone in Cheltenham access to the best possible cultural and leisure opportunities, enhancing the town's reputation and environment. The strategy recognises the value of Cheltenham's historic legacy and the importance of leisure activities, particularly tourism, to its economy.
- 3.59 The Council has employed Knight, Kavanagh & Page to prepare a strategic plan for playing pitch provision in Cheltenham and its immediate environs, which has identified deficiencies in provision and sets out a strategy for the provision and management of playing facilities.

### **Social and community issues**

- 3.60 The Council has published a social justice strategy, which seeks to combat social exclusion and poverty. Most of its proposals are administrative but some have land use implications. The local plan can assist the strategy's aims by promoting community safety, enabling community enterprise initiatives, and improving mobility for people with disabilities and the elderly.

### **Crime and disorder**

- 3.61 The incidence of crime and disorder can play an important role in the quality of life of Cheltenham. Although the causes and remedies of crime are complex, the built environment can be an important factor in facilitating or deterring some crimes. Through its influence on the existing and new built environment, the local plan will contribute to the reduction of crime and disorder.

### **Transport**

- 3.62 In September 2000, the Council published a draft Cheltenham Transport Plan. The plan contributes to the long-term vision for Cheltenham with its aim of securing a transport system within the town, which is safe and free from congestion and pollution.
- 3.63 Following public consultation, the Council adopted the plan in July 2001, although the Council has subsequently resolved to delete some proposed highway schemes from the plan. Together with the Gloucestershire Transport Plan, the Cheltenham Transport Plan provides the context for the transport policies of this Plan.

### **Urban design**

- 3.64 In July 2000, the Council commissioned Latham Architects to prepare an urban design framework for the borough. This provided a broad, borough-wide context for development and reinforced Cheltenham's historic and cultural heritage. It has informed the design policies of this plan. The Council is updating the framework and, following public consultation in 2007/08 will adopt it as a Supplementary Planning Document

**TABLE 1: LOCAL PLAN OBJECTIVES**

*This table sets out the objectives for the local plan. These will contribute to the aims of the Cheltenham Community Plan. All the policies in the plan relate to one or more of these objectives.*

**General**

- O1** to secure the provision of necessary and relevant services and facilities in conjunction with development
- O2** to achieve a high standard of design in new development
- O3** to protect public safety and amenity
- O4** to reduce crime and the fear of crime
- O5** to make provision for identified development needs
- O6** to create more sustainable patterns of development, with priority use of previously-developed land
- O7** to make best use of development land
- O8** to meet the needs of the elderly and people with disabilities

**Environment**

- O9** to conserve and enhance the setting of Cheltenham
- O10** to conserve the natural beauty of the Cotswold Hills
- O11** to conserve and improve Cheltenham's architectural, townscape and historical heritage
- O12** to conserve and improve Cheltenham's landscape character and green environment
- O13** to safeguard the countryside from encroachment and inappropriate development
- O14** to prevent the coalescence of Cheltenham with other settlements
- O15** to protect high quality agricultural land
- O16** to protect and improve the quality of land, air and water
- O17** to reduce waste and energy consumption and conserve natural resources
- O18** to maintain and encourage biodiversity

**Economy**

- O19** to maintain and enhance the economic vitality of the borough
- O20** to maintain economic diversity
- O21** to safeguard land and buildings in existing employment use, or if unoccupied, last in employment use

**Housing**

- O22** to meet housing requirements, including the need for affordable housing
- O23** to secure a high standard of residential amenity

**Retailing**

- O24** to maintain and enhance the vitality and viability of the town centre as a sub-regional shopping centre
- O25** to maintain a diversity of local shopping facilities

**Recreation and leisure**

- O26** to maintain and enhance existing opportunities for recreation and leisure
- O27** to increase the range of facilities for recreation and leisure

**Tourism**

- O28** to encourage provision of a range of facilities and attractions for tourists

**Community services**

- O29** to encourage the retention and provision of a range of community facilities and services

*continued*

**Utilities infrastructure**

**O30** to reduce the risk of flooding and flood damage

**O31** to make adequate provision in development for the satisfactory supply and treatment of water

**Transport**

**O32** to promote sustainable transport

**O33** to safeguard the potential for the future provision of transport infrastructure

**O34** to ensure infrastructure in development is provided to a satisfactory standard

**O35** to safeguard or improve personal safety in the transport system

**O36** to contribute to road traffic reduction and improve traffic flow

# 4: CORE POLICIES AND PROPOSALS

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## CORE POLICIES

- 4.1 These core policies form the heart of the local plan. They seek to implement its strategy by providing a broad context for the promotion and control of land use and development in Cheltenham.
- 4.2 In some cases issues covered by these policies are amplified by other policies or text in the plan or by supplementary planning guidance/supplementary planning documents.
- Sustainable development**
- 4.3 Sustainable development is a key Government policy, an important element of the Cheltenham Community Plan's vision, and one of the four broad themes of this plan's strategy.
- 4.4 Paragraph 3.3 of this plan sets out the four objectives of the Government's national sustainable development strategy. PPS1 indicates that the planning system can make a major contribution to the achievement of these objectives.
- 4.5 The degree to which development schemes will be able to contribute towards sustainable development will vary according to their nature, size and location. But each will need to support the principles of sustainable development as best they can.

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### POLICY CP 1: SUSTAINABLE DEVELOPMENT

(Objectives O6 and O7)

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**Development will be permitted only where it takes adequate account of the principles of sustainable development (note 1). In particular, development should:**

- (a) conserve or enhance natural resources and environmental assets; and**
  - (b) give priority to the use of previously developed land (notes 2 and 3); and**
  - (c) make the most efficient and effective use of land (note 3).**
- 

Note 1: Each of the principles of sustainable development set out in table 2 may be taken into account as a material consideration in the determination of planning applications.

Note 2: Previously developed land is as defined in Annex C of PPG3 (see also glossary).

Note 3: See supplementary planning guidance on *Sustainable Developments* and *Sustainable Buildings*.

Note 4: Where appropriate, advice will be sought from Cheltenham Sustainability Panel.

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TABLE 2: PRINCIPLES OF SUSTAINABLE DEVELOPMENT
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<p><b>Effective protection of the environment</b></p>
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- |  |
|--|
| <ul style="list-style-type: none"><li>• conserving historic and architecturally important buildings, areas and other structures</li><li>• protecting sites of archaeological and historic interest and their settings</li><li>• conserving green space and trees</li><li>• safeguarding attractive landscape</li><li>• incorporating trees and other landscape features into development</li><li>• protecting and creating wildlife habitats</li><li>• reducing the need to travel, especially by car, by:<ul style="list-style-type: none"><li>○ ensuring development is in the right location</li><li>○ promoting mixed use development</li><li>○ providing facilities to encourage walking, cycling and the use of public transport</li><li>○ making provision for parking that will not encourage use of the private car</li></ul></li><li>• protecting the quality of water, land and air</li><li>• minimising the risk of flooding</li><li>• reducing gases causing climate change</li></ul> |
|--|

*continued*

### **Prudent use of natural resources**

- using brownfield land before greenfield
- utilising the highest density of development consistent with high quality design, the amenity and character of the locality, and acceptable impact on adjoining development
- creating development which is energy-efficient by means of layout, design, construction and landscaping
- using energy from renewable sources, including maximising solar gain
- reusing materials wherever possible or using materials from sustainable sources
- creating buildings and environments which require low maintenance and which have a long-life span or can be readily adapted to alternative future uses
- minimising waste

### **Social progress which meets the needs of everyone**

- creating attractive environments
- ensuring that specific groups of the population are not disadvantaged by development
- reducing disparities in income, access to jobs, housing and services
- providing good accessibility to jobs, services and community facilities
- providing an appropriate mix of housing sizes, types and affordability to meet the needs of all households
- incorporating measures to deter crime
- protecting and improving personal and community health
- promoting and enhancing quality of life

### **Maintenance of high and stable levels of economic growth and employment**

- manufacturing and trading in ways which are environmentally and socially benign
- minimising unemployment, including making provision for a diversity of employment
- ensuring good accessibility to, and movement of goods by, businesses
- taking account of and making provision for developments in communications and information technology

### **Sequential approach**

- 4.6 The distribution of development, particularly that which attracts a lot of people, can play an important role in sustainability by helping to reduce the need to travel, distances travelled, and congestion, and by promoting more sustainable transport choices. The application of a sequential approach to the location of development is therefore essential in making existing urban areas more sustainable. This approach reflects PPS6: Planning for Town Centres and PPG13: Transport.

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## **POLICY CP 2: SEQUENTIAL APPROACH TO THE LOCATION OF DEVELOPMENT**

(Objectives O6 and O32)

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**Development which would attract a significant number of trips (note 1) will be permitted within the Core Commercial Area.**

**Where no suitable sites or buildings for conversion are available or can be readily made available, alternative locations will only be permitted in the following sequence:**

- (a) district or neighbourhood centres;**
- (b) out-of-centre sites accessible by a regular choice of means of transport, excluding the residential parts of the conservation areas (note 3).**

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Note 1: This applies to all key town centre uses, such as commercial and public offices, entertainment and leisure, and higher and further education establishments, schools and hospitals. For retail uses, see policy RT 1 (location of retail development).

Note 2: The Core Commercial Area and district and neighbourhood centres are shown on the Proposals Map and in Appendix 5.

Note 3: See policy BE 2 (residential character in conservation areas) the residential parts of conservation areas are those outside the Core Commercial Area, district and neighbourhood shopping centres all of which are shown on the Proposals Map and existing employment land.

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## **Sustainable environment**

- 4.7 The Cheltenham Community Plan seeks a healthy environment. It aims to protect and enhance the built and natural environments and to conserve natural resources. A high quality environment can help the town's economy.
- 4.8 The plan can contribute to these aims by controlling any negative impacts of development on landscape, buildings and wildlife.

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### **POLICY CP 3: SUSTAINABLE ENVIRONMENT**

(Objectives O9, O11, O12, O16, O18 and O30)

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#### **Development will be permitted only where it would:**

- (a) not harm the setting of Cheltenham (note 1), including views into or out of areas of acknowledged importance (note 2); and
  - (b) not harm landscape character (note 3); and
  - (c) conserve or enhance the best (note 4) of the built and natural environments; and
  - (d) safeguard and promote biodiversity (note 5); and
  - (e) not give rise to harmful levels of pollution (note 6) to land, air or water (surface or ground); and
  - (f) minimise the risk of flooding (note 7).
- 

Note 1: 'Setting' of Cheltenham is defined as those features which create the distinctive sense of place for the Borough, including the Cotswold escarpment, the distinguished Regency heritage and green spaces. See also policy CO 2 (development within or affecting the AONB) and Cotswolds AONB Management Plan (2004).

Note 2: Interests of acknowledged importance are conservation areas, ancient monuments, sites included on the Register of Historic Parks and Gardens, area of outstanding natural beauty, green belt, sites of special scientific interest, statutory and non statutory nature reserves, regionally important geological and geo-morphological sites, listed buildings and buildings of local importance.

Note 3: See also policy CO 1 (landscape character), and Cotswolds AONB Management Plan.

Note 4: 'Best' means a feature within the built or natural environment, which makes a significant contribution to the character, appearance, amenity or conservation of a site or locality. In making decisions advice will be sought from the Commission for Architecture and the Built Environment, English Heritage or other appropriate body, including the Architect's Panel and the Cheltenham Civic Society.

Note 5: See also policies NE 2 (designated nature conservation sites) and NE 3 (biodiversity and geodiversity of local importance).

Note 6: In the context of this policy, 'pollution' applies to any harm or potential harm, which might occur, from dust, fumes, smells, smoke, vibration, noise, light, heat, or chemical presence or action.

Note 7: See also policies UI 2 (development and flooding) and UI 1 (development in flood zones).

Note 8: See also supplementary planning guidance on *Sustainable Developments, Sustainable Buildings, Amenity Space in Residential Developments, Travel Plans, and Sustainable Drainage Systems*.

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## **Safe and sustainable living**

- 4.9 Urban areas have the potential to contribute to sustainable development by providing a high quality of life. In order to do so, they need to provide attractive, liveable environments for the whole community. The Cheltenham Community Plan seeks an attractive, safe and sustainable town, which is also one of the four broad themes of this plan.

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**POLICY CP 4**  
**SAFE AND SUSTAINABLE LIVING**  
Objectives O3, O4, O16, O23 and O32

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**Development will be permitted only where it would:**

- (a) not cause unacceptable harm to the amenity of adjoining land users and the locality (notes 1 - 4); and**
  - (b) not result in levels of traffic to and from the site attaining an environmentally unacceptable level; and**
  - (c) make adequate provision for security and the prevention of crime and disorder (note 5); and**
  - (d) not, by nature of its size, location, layout or design, give rise to crime or the significant fear of crime or endanger public safety; and**
  - (e) maintain the vitality and viability of the town centre and district and local shopping facilities.**
- 

**Note 1**

In assessing impact on amenity, the Council will have regard to matters including loss of sunlight and/or diffuse daylight (see note 2), loss of outlook, loss of privacy (see note 3), and potential disturbance from noise, smells, dust, fumes, vibration, glare from artificial lights (see also policy CP 3 (sustainable environment), hours of operation, and travel patterns, including heavy goods vehicles (see also policy CP 5 (sustainable transport).

**Note 2**

In assessing the impact on sunlight and daylight, the Council will have regard to BS 8206: 1992 '*Lighting for buildings: Part 2, code of practice for day lighting*', the Building Research Establishment's 1991 paper by P. J. Littlefair '*Site planning for daylight and sunlight: a guide to good practice*', and other relevant guidance.

**Note 3**

In determining privacy for residents, the Council will apply the following minimum distances:

- 21 metres between dwellings which face each other where both have windows with clear glazing
- 12 metres between dwellings, which face each other where only one has windows with clear glazing.

**Note 4**

See also policy UI 7 (renewable energy).

**Note 5**

See also supplementary planning guidance on *Security and Crime Prevention*.

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**Sustainable transport**

- 4.10 The Cheltenham Community Plan seeks safe and accessible travel and transport. A transport system, which is accessible, efficient, and safe, can contribute to sustainable living by reducing pollution and achieving better access to development and facilities, and can support the economy by reducing congestion.
- 4.11 By shaping the pattern and scale of development, the planning system can help to reduce the need to travel, reduce the length of journeys, and promote more sustainable transport choices. This will help reduce emissions.

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**POLICY CP 5**  
**SUSTAINABLE TRANSPORT**  
Objectives O32, O35 and O36

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**Development will be permitted only where it is located and designed so as to:**

- (a) minimise the need to travel; and**
- (b) provide adequate accessibility to the site for vehicles, including public transport, pedestrians, cyclists and people with disabilities (note 1); and**
- (c) meet travel demands in safe and energy efficient ways (note 2); and**
- (d) provide a level of parking space that will encourage walking, cycling and public transport and discourage use of the private car (note 3); and**

**(e) meet Local Transport Plan targets for the proportion of trips to the site by each mode of transport (note 4).**

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Note 1

Developers will be expected to assess new development against RPG accessibility criteria (see appendix 3).

Note 2

See also policies TP 1 (development and highway safety) and TP 2 (highway standards).

Note 3

See policy TP 6 (parking provision in development).

Note 4

The Local Transport Plan journey to work targets for Cheltenham (as part of the Central Severn Vale) are a minimum 40% by non-car driver modes by 2006 and 45% by 2011.

Note 5

This policy may require the preparation of a Travel Plan (see supplementary planning guidance on *Travel Plans*) and/or a contribution from the developer towards improving accessibility to a site - see policy CP 8 and table 5 (matters which may be the subject of planning obligations) and associated text.

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**Mixed use development**

- 4.12 PPS1 sets out that "*policies should promote mixed use developments for locations that allow the creation of linkages between different uses and can thereby create more vibrant places*".
- 4.13 Mixed uses can occur within individual buildings, within streets or larger developments, or within areas. For mixed use development to be successful, the uses involved must be compatible with each other and with adjoining land (see also CP 4 safe and sustainable living).
- 4.14 Mixed-use development can be particularly effective in town centres, in areas of major new development, or in locations accessible by a choice of means of transport. However, mixed-use development may not be appropriate to some locations in Cheltenham. Schemes involving commercial uses in conservation areas would conflict with policy BE 2, which seeks to protect residential character in these areas. This policy effectively limits commercial development in conservation areas to the Core Commercial Area. This limitation needs to be reflected in the balance of uses within the Core Commercial Area. Housing development should not therefore unduly reduce opportunities in the Core Commercial Area for commercial or other non-residential development for which there is a demand.

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**POLICY CP 6**

**MIXED USE DEVELOPMENT**

Objective O6

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**Mixed use development will be permitted and may be required on suitable sites:**

- (a) where the uses are compatible (note 2) with each other and adjoining land uses; and**
- (b) for schemes attracting a significant number of trips, only in the Core Commercial Area (note 3); or**
- (c) for other schemes, only in the Core Commercial Area, district or neighbourhood centres, or in locations which are highly accessible by a regular choice of means of transport, excluding the residential parts of the conservation areas (note 4).**

**Where mixed uses are proposed on employment land proposals will be subject to policy EM 2 (safeguarding of employment land).**

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Note 1

See also policies CP 4 (safe and sustainable living) and EM 1 (employment uses).

Note 2

Compatible means unlikely to cause harm to amenity by loss of privacy or disturbance from noise, smells, fumes, vibration, glare from artificial lights, hours of operation or travel patterns.

Note 3

The Core Commercial Area is shown on the Proposals Map.

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Note 4

See policy BE 2 (residential character in conservation areas) - the residential parts of conservation areas are those outside the Core Commercial Area, district and neighbourhood shopping centres, all of which are shown on the Proposals Map, and existing employment land.

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## Design

- 4.15 Good design is a key element in producing attractive, high quality, sustainable places in which people will want to live, work and relax. PPS1 states that:
- ‘good design ensures attractive usable, durable and adaptable places and is a key element in achieving sustainable development. Good design is indivisible from good planning’.*
- 4.16 Key principles of urban design and architectural design are set out in tables 3 and 4. Together, these define the overall layout of a place (in terms of its routes and building blocks), its scale (in terms of building height and massing), its appearance (as expressed in details and use of materials), and its landscape (including all the public realm, built and green spaces).
- 4.17 The Council will take account of the key urban and architectural design principles in determining planning applications. In accordance with PPG1, which states *‘applicants for planning permission should be able to demonstrate how they have taken account of the need for good design in their development proposals’*, the Council may require the preparation of an urban design appraisal and/or statement in support of planning applications (see supplementary planning guidance on *Submission of Planning Applications*).
- 4.18 Extensions to existing buildings need to be carefully designed to respect the character and scale of the existing building or group of buildings. In accordance with policy CP 7, they should be to a high standard of design, and would normally be expected to use materials which match the original building, with similar forms of roofs, doors, windows and other elements. In cases where it is important that the extension remains subordinate to the original building, it may be appropriate to distinguish the extension by a substantial set back in the building line. Occasionally, a different approach may be appropriate to separate and differentiate an extension from the main building. The most important consideration is that an extension should not detract from the original. Extensions will not be permitted where they result in an unacceptable loss of garden or other open space.

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## POLICY CP 7

### DESIGN

#### Objective O2

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#### Development will only be permitted where it:

- (a) is of a high standard of architectural design; and
- (b) adequately reflects principles of urban design; and
- (c) complements and respects neighbouring development and the character of the locality and/or landscape (note 3).

#### Extensions or alterations of existing buildings will be required to avoid:

- (d) causing harm to the architectural integrity of the building or group of buildings; and
  - (e) the unacceptable erosion of open space around the existing building.
- 

#### Note 1

Principles of urban design relevant to this policy are set out in table 3. Key design considerations for individual buildings are set out in table 4.

#### Note 2

Development should reflect the provisions of the Planning (Listed Buildings and Conservation Areas) Act 1990 and supplementary planning guidance on conservation areas.

#### Note 3

See also policies RT 2 (retail development in the Core Commercial Area) and HS 2 (C) (housing density).

Note 4

The fact that a particular form or location of development is the most cost effective option is not justification for an exception to CP 7.

Note 5

In making decisions advice will be sought from the Commission for Architecture and the Built Environment, English Heritage or other appropriate body including the Architect’s Panel and the Cheltenham Civic Society.

**Provision of necessary infrastructure and facilities**

4.19 Development proposals often directly give rise to a need for new or improved infrastructure or facilities, either on or off site. If these are not provided permission for the development will usually not be granted.

4.20 Such infrastructure and facilities can include:

- the proper servicing of the site, including sewerage and land drainage to an approved standard
- measures to manage increased movement to, from and into the site
- essential community facilities required as a direct result of a development, such as play space, libraries, fire, and education facilities,
- affordable housing.

4.21 Structure Plan policy S.5 indicates that local authorities must have regard to the need for such facilities in providing for development. Policy CP 8 sets out the basic requirements for the granting of planning permission in this respect. The requirements of the policy may be met by one or more of a number of means, as follows:

- direct provision by a developer;
- payment of an agreed sum to cover provision by others;
- conditions attached to a planning permission;
- section 106 planning obligation.

<b>TABLE 3: PRINCIPLES OF URBAN DESIGN</b>
<p><b>character</b></p> <ul style="list-style-type: none"> <li>• create or reinforce a sense of place with its own distinctive identity</li> <li>• reflect existing topography, landscape and ecology</li> <li>• utilise a hierarchy of building form and design to reflect the use and importance of buildings</li> <li>• create focal points and places</li> <li>• create areas of hard and soft landscaping</li> </ul> <p><b>continuity and enclosure</b></p> <ul style="list-style-type: none"> <li>• use buildings and trees to define space</li> <li>• distinguish clearly between public and private spaces, providing continuous building frontages between them where possible</li> </ul> <p><b>quality of the public realm</b></p> <ul style="list-style-type: none"> <li>• create attractive spaces which provide a variety of interest and experience</li> <li>• produce comfortable local microclimates</li> <li>• provide overlooking of streets and spaces, especially main elevations</li> <li>• design lighting and landscaping to reduce opportunities for crime</li> <li>• enrich space with well-designed details (e.g. paving, public art, lighting, signs, seats, railings, and other street furniture)</li> <li>• avoid visual clutter and confusion, especially from signs and advertisements</li> <li>• design areas for ease of maintenance, particularly in regard to litter collection, mechanical sweeping and the maintenance of planted areas</li> </ul> <p><b>ease of movement</b></p> <ul style="list-style-type: none"> <li>• promote accessibility to and within an area, particularly on foot, bicycle, and for people with limited mobility</li> </ul> <p style="text-align: right;"><i>continued</i></p>

- increase permeability by avoiding culs-de-sac and connecting adjacent streets
- legibility**
- develop a clear, easily understood image of an area
  - retain and create views of existing and new landmarks, skylines and other focal points
  - provide recognisable and memorable features, especially at key locations
- durability**
- create spaces that can adapt easily to changes in need and use
  - provide environments which are suitable for their use
  - use quality materials
- diversity**
- where appropriate within buildings, streets or areas, consider a mix of building forms, uses and tenures

**POLICY CP 8  
PROVISION OF NECESSARY INFRASTRUCTURE AND FACILITIES**

Objective O1

**Development will be permitted only where adequate provision has been made for:**

- (a) the infrastructure necessary for the development to proceed; and**
- (b) other public services and facilities, the need for which arises directly from the development.**

**Planning obligations may be sought as a means of securing such provision, including any or all of the matters listed in table 5.**

Note 1

Where contributions are paid e.g. for play space, the Borough Council may utilise a small percentage to finance a post to undertake the administrative work required to enable the money to be spent effectively.

Note2

See Supplementary Planning Guidance on Planning Obligations.

**Planning obligations**

- 4.22 The use of planning obligations (under section 106 of the Town and Country Planning Act 1990) can enable a property owner or developer to overcome obstacles, which would otherwise prevent planning permission from being granted.

**TABLE 4: PRINCIPLES OF ARCHITECTURAL DESIGN**

The architectural design of new buildings and alteration of existing buildings should demonstrate a creative response to a specific site and locality. Particular attention should be paid to:

**function**

- fitness for purpose

**character**

- historical context
- distinctive features of the locality (such as spatial quality, rhythms, density, scale, style and materials)

**layout**

- the urban grain (the pattern and density of routes, street blocks, plots, spaces and buildings of a locality) and topography of an area
- the efficient use of land

*continued*

**scale**

- the size of the building, its elements and its details in relation to its surroundings and the human form
- massing (the arrangement, volume and shape of a building)
- height (its effect on shading, views, skylines and street proportion)

**appearance**

- materials (high quality and suited to their location and purpose)
- detailing

**landscape**

- the integration of buildings and landscape.

- 4.23 Circular 5/05 gives advice to local planning authorities on the use to be made of planning obligations in connection with planning applications. It indicates the Secretary of State's policy that:
- 'the tests to apply for their use are that they should be necessary, relevant to planning, directly related to the proposed development, fairly and reasonably related in scale and kind to the proposed development and reasonable in all other respects.'*
- 4.24 Circular 5/05 sets out that the development plan should include as much information as possible to assist developers in predicting as accurately as possible the likely contributions they will be asked to make through planning obligations.
- 4.25 In Cheltenham, the Borough Council is responsible for affordable housing, public open space and most highway matters (under an agency agreement with the County Council); Gloucestershire County Council is responsible for education, social services, libraries, fire and rescue and highway strategy.
- 4.26 Developers will be invited, where appropriate, to enter into planning obligations with the Borough Council and/or the County Council for any or all of the matters set out in table 5.
- 4.27 This list is not necessarily exclusive, as other issues may arise in relation to particular sites or development proposals.
- 4.28 Detailed guidance on these matters, including the nature and scope of contributions, is provided in Supplementary Planning Guidance on *Planning Obligations*. (see also paragraph 1.16).

**TABLE 5: MATTERS WHICH MAY BE THE SUBJECT OF PLANNING OBLIGATIONS**

- works to provide safe access to a site, to accommodate safely local increases in traffic due to the development, and to discourage the additional traffic from using unsuitable local roads
  - works within a transport sector to encourage travellers to and from a development to change to a more sustainable means of transport, including park and ride
  - works, services or incentives to secure improved accessibility to and from a site by all forms of transport, including public transport, cycling and walking
  - flood defence and mitigation works
  - an element of affordable or special needs housing (SPG)
  - the provision or enhancement of play space which cannot be accommodated on-site (SPG)
  - a contribution for the maintenance of new open space and where appropriate for the enhanced use of existing open space
  - education facilities at nursery, primary and secondary levels (SPG)
  - community facilities (SPG)
  - measures to provide for public safety and security (SPG)
  - a contribution to skills analysis and training provision (SPG)
- continued*
- facilities or measures to offset the loss of or impact on any resource, such as woodland or open space, present on a site prior to development
  - works to adjacent areas of public realm, including tree planting
  - public art (SPG)

See paragraph 1.17 for list of adopted SPG.

## **DEVELOPMENT PROPOSALS**

- 4.29 This section of the plan sets out all the plan's proposals for development and transport. It allocates or safeguards land for specific purposes. It does not include commitments – schemes that are under construction or have planning permission.

### **Housing**

- 4.30 The Council's *Urban Capacity Study* indicates that the outstanding proportion of the Structure Plan's housing requirement for Cheltenham to 2011 is likely to be met on previously developed sites. With the exception of housing provided within the sites identified in policy PR 1 for housing and PR 2 for mixed-use development, these dwellings are expected to come forward as unallocated sites ('windfalls'). Accordingly, there is no need at this stage to allocate any greenfield land for housing.

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### **POLICY PR 1**

#### ***LAND ALLOCATED FOR HOUSING DEVELOPMENT***

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Objectives O5, O7 and O22

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**The following site is allocated for residential development:**

**(a) land at Lansdown Road.**

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Note

The site is specified in table 6 and shown on the Proposals Map

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### **Employment land**

- 4.31 For reasons, which are fully set out in the Economy chapter, the Council has not made any allocations of land for employment uses.

### **Mixed use development**

- 4.32 In order to improve facilities and employment opportunities in the borough, to make best use of land in a sustainable location, and to bring about visual improvements to the town centre and conservation area, the Council has recognised the scope for mixed use development on six sites which have clear prospects of development within the plan period. These are allocated in Policy PR 2.
- 4.33 The site at Albion Street/Gloucester Place falls within the area covered by the *Sherborne Place, Gloucester Place and Fairview Road Development Brief*, which has been adopted by the Council as Supplementary Planning Guidance. Developer interest suggests that the site is likely to come forward for development within 5 years (end 2007).
- 4.34 The site of the former Black and White Coach station adjoining St. Margaret's Road also falls within the area of the *St. Margaret's Development Brief*. The site is owned by the Borough Council and is currently used as a public car park. The site at St. George's Place / St. James' Square is owned by the Borough and County Councils. Both of these sites are occupied by public car parks at present and the timing of their development will be affected by potential changes to other town centre car parks (particularly the development of car parking at The Brewery) and the effect of development on the Borough Council's income. These factors indicate that the two sites are unlikely to be developed within the next 5 years.
- 4.35 The site at Portland Street is owned by the Borough Council and currently in use as a public car park. Following the increase in publicly available car parking at The Brewery, the Council will seek to release the Portland Street car park for housing development. This will provide a significant element of affordable housing in a town centre location and contribute to an improvement in the visual qualities of the area. However, the development is unlikely to occur within the next 5 years.
- 4.36 Although Cheltenham Spa railway station lies outside the town centre, its role as a focus for public transport services - rail, bus and taxi - makes it a relatively sustainable location. Land around and associated with the station has potential for mixed use development in accordance with the development brief for the site, which has been adopted by the Council as Supplementary Planning Guidance. Although the site is in single ownership, it is subject to a number of design constraints and its development is more likely to be later in the plan period.
- 4.37 The Council owns land to the west of the Honeybourne line at Midwinter. This includes allotments, playing fields, amenity space and other undeveloped, unused land previously allocated for recreation uses. Many of the allotments are in active use but provision has exceeded demand for many years and a significant area is now derelict. The Council has resolved to invite proposals for the area, which would release its full potential. These would include enhanced allotment provision and the sports pitches equating to the existing playing field, together with an element of housing. The complexity of issues relating to the site implies development will be towards the end of the plan period.

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### **POLICY PR 2**

#### ***LAND ALLOCATED FOR MIXED USE DEVELOPMENT***

Objectives O5, O6, O7, O19, O20, O21, and O22

**The following sites are allocated for mixed use development:**

- (a) land at Albion Street/Gloucester Place;**
- (b) land at St. Margaret's Road;**
- (c) land at St. George's Place/St. James' Square;**
- (d) land at Portland Street;**
- (e) land at Cheltenham Spa railway station;**
- (f) land at Midwinter.**

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Note

The sites are specified in table 6 and shown on the Proposals Map.

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## TRANSPORT PROPOSALS

### Route protection

- 4.38 The transport strategy includes proposals for changes to the highway network in order to relieve local constrictions, improve traffic flow, and serve development. Policy PR 3 seeks to safeguard routes for 2 specific schemes included in the Cheltenham Transport Plan. In accordance with Structure Plan policy T.7, it also continues to safeguard the route of the Honeybourne Line, which has potential for future use as a continuous public transport corridor.

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### POLICY PR 3

#### LAND SAFEGUARDED FOR TRANSPORT SCHEMES

Objectives O32 and O35

**Development which would prejudice implementation of the following transport schemes will not be permitted:**

- (a) the Tatchley Lane link;
- (b) a link between Gloucester Road and Tewkesbury Road through the 'Outer West' area;
- (c) a public transport system on the Honeybourne line.

Note1

Details of these schemes are set out in table 7 and their routes are shown on the Proposals Map.

Note 2

See also RC 9 – Honeybourne Line footpath/cycle way

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**TABLE 6: SITES ALLOCATED FOR DEVELOPMENT**

Site	Area (ha)	Current land use	Proposed land use	Timescale
Land at Lansdown Road	1.25	Police Headquarters	market housing (anticipated minimum 90 units, including 36 (40%) affordable housing)	post-end 2007
Land at Albion Street	0.60	garage / car sales (Haines & Strange)	commercial, housing (anticipated minimum 60 units, including 20 affordable dwellings)	pre-end 2007
Land at St. Margaret's Road	1.13	public car park (North Place)	housing (anticipated minimum 100 units, including 50 affordable dwellings) and public car parking ( + other possible public uses)	post-end 2007
Land at St. George's Place/St. James' Square	1.00	car park (Chelt Walk), vacant land and buildings	commercial, housing (anticipated minimum 8 units)	post-end 2007
Land at Portland Street	0.69	public car park (Portland Street)	public open space, housing (anticipated minimum 80 units, including 50 affordable dwellings. Gross residential density 120 dph)	post-end 2007
Cheltenham Spa Railway Station	3.30	railway land, car parking, unused	commercial, housing (scope dependent on nature of scheme on a site with a number of constraints)	post-end 2007 <i>continued</i>

Midwinter area	13.0	active and derelict allotments, playing fields, amenity land, land formally allocated for recreational use	allotments, housing (anticipated 55 units, including 25 affordable dwellings), playing fields, leisure uses	post-end 2007
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<b>TABLE 7: TRANSPORT PROPOSALS</b>	
<b>Proposal</b>	
Tatchley Lane link	A proposal to link Prestbury Road with New Barn Lane to alleviate an unsatisfactory junction at Bouncers Lane/Deep Street. The proposal, which was the subject of a resolution by the County Council as Highway Authority, was included in the Cheltenham Town Map (1968) and shown on the Proposals Map of the 2006 adopted Local Plan. The scheme is to be funded from development of land at Starvehall Farm, a greenfield site which is not currently allocated for development and for which the timing of redevelopment is uncertain at present. (The Tatchley Lane link is currently under reconsideration and may be superseded by alternative proposals, although no decision to this effect has been made by the County Council).
Link between Gloucester Road and Tewkesbury Road through the 'Outer West' area	A proposal to link Gloucester Road with Tewkesbury Road through an area known as 'Outer West', which is included in an adopted development brief for the area. Its functions would be to provide access to the centre of the area, which has potential for substantial redevelopment, and to alleviate congestion on the existing town centre road network particularly at the junction of Tewkesbury road and Gloucester Road. The scheme is to be funded by development of land in the Outer West area. This area is subject to health and safety and contamination constraints and the timing of redevelopment is uncertain at present.
Public transport system on the Honeybourne line	The former Honeybourne line between Bishop's Cleeve and Cheltenham has potential for future use as a continuous public transport corridor linking the major population centres of Bishop's Cleeve, Gloucester and Quedgley in the Central Severn Vale. It is being safeguarded from development which might prejudice this potential. There are no current proposals for the implementation of such a scheme.



## Part 3: Development Control

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# 5: BUILT ENVIRONMENT

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## INTRODUCTION

- 5.1 Cheltenham's major asset is its Regency heritage. The fine buildings and broad, tree-lined streets create graceful surroundings of appeal to residents, employers, shoppers and tourists alike. This fine architectural legacy is protected in part by the Cheltenham (Central) Conservation Area, covering over 600 hectares. The town is very attractive to investors and developers and the pressure for change, be it large scale new build or small incremental alteration, needs to be carefully controlled to protect buildings, trees, and the essential character of each street or space.

## THE STRUCTURE PLAN

- 5.2 The Structure Plan Second Review recognises that it is vital that development and change in Gloucestershire protect and enhance the historic environment. Policy NHE.6 seeks to protect the county's distinct historic environment, including its scheduled ancient monuments, listed buildings, conservation areas, historic parks and their settings.

## APPROACH

- 5.3 This plan aims to conserve and enhance Cheltenham's environment. It seeks to meet this objective by minimising the impact of development on sensitive locations or buildings, and by encouraging initiatives to enhance the environment, whether by requiring a higher standard of design in new development, environmental improvement measures, or the restoration of the town's historic buildings.
- 5.4 The Courts have accepted that s.54A of the Town and Country Planning Act 1990, which indicates that planning decisions should be made in accordance with the development plan unless material considerations indicate otherwise, does not apply to decisions on applications for listed building consent or conservation area consent. However, PPG15: Planning and the Historic Environment, confirms that development plans should include aspects of conservation policy that are relevant, directly or indirectly, to development control decisions, including policies for works of demolition or alteration which, while not in themselves constituting development, could affect the Council's decision on a related planning application.

## CONSERVATION AREAS

- 5.5 Section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990 imposes a duty on the Council to designate as conservation areas any '*areas of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance*'. Section 72 of the Act requires the Council to pay special attention to the desirability of preserving or enhancing the character and appearance of conservation areas in the exercise of their planning functions.

### Existing conservation areas

- 5.6 There are seven conservation areas in Cheltenham:
- Cheltenham (Central) Conservation Area (SPD);
  - Prestbury Conservation Area (SPG);
  - Swindon Village Conservation Area (SPD);
  - St. Mary's Conservation Area (Charlton Kings) (SPG);
  - Cudnall Street Conservation Area (Charlton Kings) (SPG);
  - Bafford Conservation Area (Charlton Kings) (SPG);
  - The Poets (St. Mark's) (SPG).

These are shown on the Proposals Map and described in table 8 and supplementary planning guidance - *Conservation Area Character Statements*.

- 5.7 The Act also places upon the Council a duty to review its area from time to time to consider whether any parts or further parts of the area should be designated as conservation areas. The Council is currently undertaking such a review.

**TABLE 8  
CONSERVATION AREAS IN CHELTENHAM**

**CHELTENHAM (CENTRAL)**

Designated by Gloucestershire County Council in 1973, and extended by the Borough Council in 1987, Cheltenham (Central) Conservation Area covers 599 hectares, and is one of the largest in the country. For further details see supplementary planning document *Central Cheltenham Conservation Area Appraisal*

**PRESTBURY**

Designated by Gloucestershire County Council in 1971, and redesignated with revised boundaries by Cheltenham Borough Council in July 2001, Prestbury Conservation Area covers about 26 hectares. For further details, see supplementary planning guidance *Conservation Area Character Statement*.

**SWINDON VILLAGE**

Designated by Tewkesbury Borough Council in 1986, Swindon Village Conservation Area covers about 16 hectares. For further details see supplementary planning document *Swindon Village Conservation Area Appraisal*

**CUDNALL STREET**

Designated by Cheltenham Borough Council in 1989 and redesignated with revised boundaries in November 2001, Cudnall Street Conservation Area covers about 4¾ hectares. For further details, see supplementary planning guidance *Conservation Area Character Statement*.

**POETS**

Designated by Cheltenham Borough Council in May 2001, The Poets Conservation Area covers about 26 hectares. For further details, see supplementary planning guidance *Conservation Area Character Statement*.

**BAFFORD (CHARLTON KINGS)**

Designated by Cheltenham Borough Council in 1989 and re-designated with revised boundaries in October 2001, Bafford Conservation Area covers about 3¾ hectares. For further details, see supplementary planning guidance *Conservation Area Character Statement*.

**ST. MARY'S (CHARLTON KINGS)**

Designated by Cheltenham Borough Council in 1989 and re-designated with revised boundaries in September 2002, St. Mary's Conservation Area covers about 12 hectares. For further details, see supplementary planning guidance *Conservation Area Character Statement*.

- 5.8 The current and future reviews will take account of all elements of an area, which contribute to its character. These will include its topography, townscape, street pattern, buildings, materials, open spaces, trees, archaeology, and historical significance.

**The effect of conservation area designation**

- 5.9 Designation creates a wide range of special opportunities and obligations. For example, consent is needed to demolish most buildings in a conservation area or to fell or heavily prune most trees. On the other hand, designation represents a commitment by the Council to the preservation or enhancement of the area. Section 71 of the Planning (Listed Buildings & Conservation Areas) Act 1990 requires local authorities to formulate and publish proposals for the preservation and enhancement of conservation areas as appropriate. The preservation or enhancement of the character or appearance of the area must also be a prime consideration for applicants seeking planning permission for development, and special controls may be appropriate.
- 5.10 Owing to the extensive cover of the conservation areas, different localities have varying requirements. In some cases there is a need to maintain an area, which is already attractive; in others it is to upgrade a run-down part of the area, possibly with some redevelopment. The commitment to the conservation areas is not, however, in any way reduced by these variations in character and need.

- 5.11 This commitment to retain the best of the character of conservation areas covers the full range of activities affecting each area, from strategic considerations, such as traffic routing, to detailed design matters, such as paving and railings.
- 5.12 The Plan sets out various policies intended to help preserve and enhance the character and appearance of conservation areas. The conservation areas do, however, differ in character from each other, as do different zones within the Cheltenham (Central) Conservation Area.

**Development in conservation areas**

- 5.13 Since the statutory purpose of designation is to preserve or enhance the character or appearance of an area, development is most likely to be acceptable if it harmonises with an area's special architectural and visual qualities. It has been established by case law that the character or appearance of a conservation area can be said to be "preserved" when it is not harmed, though the test of "harm" must be higher in a conservation area than elsewhere. It is therefore important that policies concerned with development are applied vigorously in conservation areas, and that the highest standards of design are achieved. Supplementary planning guidance on Submission of Planning Applications has been published which sets out in greater detail the procedures for submitting planning applications on listed buildings.
- 5.14 New buildings will normally need to respect the special character and quality of the area. Unsuitable alterations or extensions to buildings in conservation areas can be particularly harmful, for example alterations to the form or line of a roof and the excavation of basement areas, which are both liable to detract from the proportions of a building and its relation to adjoining properties; by the insertion of stylistically unsuitable features, such as windows, doors and porches, or by the removal of historic, interesting or attractive features, such as decorative mouldings, shop fronts, cornices, walls, railings, or chimneys. Planning permission may not be needed for these works provided that the building is a single dwelling and is not listed, even if it is a period building and in a conservation area. The external application of cable and conduit to buildings (such as for telephones or cable television) can significantly detract from their appearance and will be carefully controlled through agreement with the licensee responsible. Changes of use can also erode the character, as well as the visual appearance, of conservation areas.
- 5.15 The Council wishes to resist unsuitable alterations and will take full advantage of existing controls for non-residential buildings and may seek to bring those elements within control for all single dwellings in conservation areas. The most appropriate way of extending control of all these alterations is by bringing them under planning control by making directions under Article 4 of the Town and Country Planning (General Permitted Development) Order 1995. In some cases an alteration, such as the insertion of a cash dispenser in a bank, may be essential to its continued use. In such a case the siting and treatment of the alteration must ensure that it preserves or enhances the character or appearance of the building.

**Open space in conservation areas**

- 5.16 Within Cheltenham's conservation areas, especially the Central Conservation Area, open spaces form a crucial element of their character and appearance. Formal parks, gardens and playing fields make a major contribution in this respect. Many are owned by the Council and are accessible to the public. These are identified on the Proposals Map and are protected from development by policy GE 1 (public green space).
- 5.17 However, the open and green character often depends as much upon smaller, less formal open spaces, often in private ownership and not accessible to the public. Private gardens, including those associated with commercial buildings, are important in this respect. Even where the garden itself is not well kept or is hidden behind high walls or hedges, the sense of openness and spaciousness, which it provides, can make an important contribution to the character of a conservation area.
- 5.18 The value and functions of open and green space are set out in paragraphs 6.7 – 6.22. Of particular importance in conservation areas are the views and vistas they permit, both within conservation areas and to open countryside beyond, the provision of a setting for buildings, the rhythm of the street scene in which they are set, and the general feeling of spaciousness.
- 5.19 Some development has occurred in conservation areas which have eroded this character, and the continued, cumulative effects of even small reductions in open space can have a significant effect on

the character and appearance of conservation areas. For these reasons, development which will have an adverse impact upon the green and open character of the conservation areas will be resisted.

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## **POLICY BE 1**

### **OPEN SPACE IN CONSERVATION AREAS**

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Objectives O11 and O12

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**Development in a conservation area will only be permitted where it does not detract, individually or cumulatively, from the green or open character, including private gardens, of the area.**

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Note

See also policies CP 3 (sustainable environment) and GE 2 (private green space).

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#### **Residential character in conservation areas**

- 5.20 Conservation legislation stresses the importance of both the *character* and *appearance* of conservation areas, both of which terms relate closely to the physical form of buildings, open spaces and other features. However, character does not depend simply upon physical appearance of buildings and land, but upon the uses to which buildings are put, the ebb and flow of pedestrians and traffic, and street furniture.
- 5.21 One of the important elements in all the conservation areas is their residential character. For the most part they originally consisted of individual houses. Fortunately, with the exception of the commercial core of the central area, local shops and small pockets of commercial activity, such as is found in back lanes, this residential character still predominates. It has produced areas of great beauty and an environmental character, which it is important to retain. A viable use for the buildings is essential, but if residential uses at original densities (i.e. as individual houses) can be retained this will help to preserve the more subtle aspects of the character of the areas, connected, for example, with intensity of use. It will, for example, reduce the pressure for car parking in gardens and may well help to produce a stable community concerned to help take responsibility for individual buildings, gardens and the neighbourhood.
- 5.22 It is important that, where this character remains, it is strongly protected, particularly in the Central Conservation Area, which is of national importance and which suffers from two particular and often insidious pressures.
- The first is the pressure to subdivide single dwellings of all sizes into smaller dwellings. Such subdivision can intensify activity in an area and erode quiet residential character through the cumulative effects of many small changes, including additional pressure for parking space, both on and off the highway. To protect residential character in the predominantly residential parts of the conservation areas, the Council will not permit the subdivision of existing dwellings, subject to exceptions set out in policies BE 2 (residential character in conservation areas) and BE 9 (alteration of listed buildings).
  - The second pressure, which the Council will seek to resist, is that of the intrusion of commercial development into residential areas. Some cases already exist, outside the commercial core, of individual sites or groups of buildings (e.g. the back lanes of terraces) in commercial use. Policy BE 2 seeks to prevent the extension of further commercial activity into residential parts of the conservation areas, by preventing the loss of residential accommodation, except for uses ancillary and beneficial to residential character.
- 5.23 Policy BE 2 will apply throughout the conservation areas, with the exception of the Core Commercial Area of the town centre and other defined shopping and employment areas.

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**POLICY BE 2**  
**RESIDENTIAL CHARACTER IN CONSERVATION AREAS**

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Objective O11

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**Within residential parts of conservation areas (note 1) the following development will not be permitted unless the exceptions in policy BE 9 apply:**

- (a) the subdivision or further subdivision of single dwellings into self-contained flats or houses in multiple occupation, except where, owing to the size, location or condition of the building, it would not be practicable to dispose of it for use as a single dwelling to a purchaser able properly to repair and maintain it (note 2); or**
  - (b) the change of use to or redevelopment of dwellings for commercial use (note 3), except in accordance with policy HS 7.**
- 

Note 1

The residential parts of conservation areas are those outside the Core Commercial Area, district and neighbourhood shopping centres, all of which are shown on the Proposals Map, and existing employment land.

Note 2

For permission to be granted, proposals must also accord with policies HS 3 (subdivision of existing dwellings) or HS 8 (houses in multiple occupation), and should involve the minimum number of commercially viable units.

Note 3

Commercial use is defined as Use Classes A1 to A5 B1 to B8, and D2.

Note 4

BE 9 (alteration of listed buildings) and HS7 (loss of residential accommodation).

Note 5

See also policy CP 3 (sustainable environment).

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### **Demolition in conservation areas**

- 5.24 Conservation area designation introduces control over the demolition of most unlisted buildings (in this context demolition involves the total or substantial destruction of a building). In exercising this control, the Council is required to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas. In determining applications for consent to demolish, the Council must take account of the part played in the architectural or historic interest of the area by the building for which demolition is proposed, and in particular of the wider effects of demolition on the building's surroundings and on the conservation area as a whole.
- 5.25 G15 indicates that "*the general presumption should be in favour of retaining buildings which make a positive contribution to the character or appearance of a conservation area*", and that "*proposals to demolish such buildings should be assessed against the same broad criteria as proposals to demolish listed buildings*". In making such an assessment, the Council may consider the merits of any proposed development as well as those of the existing building. However, the fact that a new building would not in itself harm the conservation area (see paragraph 5.14) would not normally constitute justification for demolition of an existing building unless the building made no contribution to the special character of the area.
- 5.26 Within Cheltenham's (Central) conservation area, both grand and modest 19th century buildings and structures, as well as good examples of 20th century buildings, contribute to the special character of each area. Such buildings will rarely receive consent for demolition, since it is their cumulative presence, which establishes the essential character and appearance of the conservation area. Demolition of buildings forming part of a terrace or group will be particularly resisted. Where the existing building can still be put to beneficial use, the possibility of realising a higher redevelopment value of the site or of developing a more convenient or profitable new building will not be adequate justification for demolition.
- 5.27 Stables, outhouses and other minor buildings contribute to the character and appearance of the town and the conservation areas, and are significant witnesses to their history. They are often difficult to

preserve in a meaningful form and to integrate into modern developments or requirements. They should, however, be preserved in as complete a form as possible where this can be achieved.

- 5.28 Notwithstanding the presumption in favour of retaining buildings, which contribute to a conservation area's character, there may occasionally be situations where the demolition of such a building is unavoidable or even desirable. This may occur where poor structural condition makes retention physically or financially impracticable; it may also occur where there is an essential need for a development which cannot realistically be provided on another site, or where old buildings of no architectural or historic merit prejudice the development of a site which plainly detracts from the character and appearance of a conservation area and where development would preserve or enhance the character of the area.

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**POLICY BE 3**  
**DEMOLITION IN CONSERVATION AREAS**

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Objective O11

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**The demolition or substantial demolition of buildings or other significant structures in conservation areas will not be permitted, unless:**

- (a) they make no positive contribution to the special character or appearance of the area; or**
  - (b) the retention of the building is structurally and financially impracticable (taking into account all sources of finance, including associated development); or**
  - (c) there is an essential need in the town for development which cannot be accommodated satisfactorily by a different form of development or in a different location; or**
  - (d) the demolition serves to preserve or enhance the character or appearance of the conservation area, taking into account both the history and appearance of the building to be demolished and the contribution of any new buildings.**
- 

Note 1

Anyone wishing to demolish a building or structure on the basis of the above exceptions will be required to provide convincing and fully documented evidence of the validity of the exception, including where appropriate, a full financial analysis demonstrating that the cost of necessary repairs and renovation, including reasonable expenses and profits, but excluding the purchase price, exceeds the value of the property on completion of the works.

Note 2

Significant structures include all permanent buildings or built structures, such as stables, outhouses or walls, and boundaries or enclosures constructed of a permanent material, such as brick, metal or stone, the removal of which would require Conservation Area Consent.

Note 3

Essential need refers to development that would produce substantial benefits for the community, such as a road or hospital extension for which there was no realistic alternative site, and which would decisively outweigh the loss resulting from demolition (see PPG15, paragraph 3.17).

Note 4

See also policies BE 8 (demolition of listed buildings) and CP 3 (sustainable environment).

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- 5.29 In cases where redevelopment is considered appropriate and planning permission has been given, there can be a long delay before development is carried out. Occasionally the project may be completely abandoned. If the existing building were demolished as soon as the re-development was approved, the result could be an ugly gap in the street scene lasting for years, as well as the premature loss of potentially useful accommodation. Consequently the Council, in accordance with paragraph 8.29 of PPG15, will resist premature demolition in conservation areas. It will also seek the useful occupation and/or maintenance of such buildings until they are needed for re-development. The Council may also, for historical reasons, require detailed records of the building.
- 5.30 The Council may agree to earlier demolition where this is required to facilitate prior archaeological investigation, where the retention of the building would detract from rather than enhance the street scene, or where it constitutes a danger. In such cases, screening of the site will normally be required,

which should be sound, safe, visually attractive and properly maintained until redevelopment takes place.

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**POLICY BE 4**  
***TIMING OF DEMOLITION IN CONSERVATION AREAS***

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Objective O11

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**Permission for the demolition of buildings in conservation areas will be subject to the condition that demolition will not take place until detailed development proposals have been approved and contracts signed for the new development, unless:**

- (a) prior demolition is required to allow a period for archaeological investigation; or**
  - (b) the retention of the building would detract from the character or appearance of the area; or**
  - (c) the building constitutes a danger to the public.**
- 

**Boundary enclosures**

- 5.31 Boundary walls and railings are important to the character of the conservation areas. Original walls and railings should be retained or, where new enclosures are proposed, erected in suitable and authentic materials, height and form with appropriate piers, kerbs, finials, copings, etc, subject to retaining reasonable access to the land or buildings so enclosed.

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**POLICY BE 5**  
***BOUNDARY ENCLOSURES IN CONSERVATION AREAS***

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Objective O11

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**In conservation areas:**

- (a) boundary enclosures should be preserved in their original form; and**
  - (b) new enclosures should be in a historically appropriate form.**
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Note

See policy CP 3 (sustainable environment).

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**Back lanes in Cheltenham (Central) Conservation Area**

- 5.32 The back lanes of Regency Cheltenham represent some of the environmentally poorest parts of the Cheltenham (Central) Conservation Area. They were not considered of any architectural significance when first built and they can never lose their essential character as backs. Most of the lanes do, however, have a certain unpretentious yet positive quality which the Council wishes to conserve, especially the sense of enclosure with high walls and the simple attractiveness of some of the mews properties with a high proportion of exposed brickwork. The Council wishes to halt the further deterioration of back lanes and to see their environmental improvement wherever there are opportunities.

- 5.33 New development in these areas can lead to parking and access problems, and it may be difficult to accommodate an acceptable form of development in such restricted areas without having an adverse impact on the light, privacy and amenity space of adjoining properties. It is often difficult to overcome these requirements owing to the problems of restricted road widths, high densities and the proximity of the rear of large buildings.

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**POLICY BE 6**  
***BACK LANES IN CONSERVATION AREAS***

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Objectives O2 and O11

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**Development will be permitted on back lanes in conservation areas where:**

- (a) the design is appropriate to its location (note 1); and**
  - (b) adequate amenity space remains with the existing property; and**
  - (c) the impact of parked cars would not harm highway safety or access to properties.**
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**Note 1**

Design should respect the back lane character of the site in terms of height, scale and materials, and should create or maintain a sense of enclosure.

**Note 2**

See also policies CP 3 (sustainable environment), CP 4 (safe and sustainable living), and CP 5 (sustainable transport).

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- 5.34 Open parking would in most cases be contrary to the sense of enclosure along back lanes, and would need to be behind gates of a suitable character - normally vertically boarded. In applying policy BE 3 (demolition in conservation areas) to development in such areas, particular note will be paid to any car parking or servicing problems arising from the existing use or conversion of the main terrace properties.
- 5.35 A considerable improvement can be made to the rear elevations of the main terraces by cleaning, redecoration and repair. The hotchpotch of different additions and alterations made over the years cannot simply be eliminated, but the Council will resist the extension of this random diversity of elements. Greater uniformity is, in particular, achievable in the windows, which should generally be traditional timber sashes. Further extensions of these rear wings will be resisted except where essential to ensure appropriate internal arrangements of the main buildings.

**Roofing materials in conservation areas**

- 5.36 In Cheltenham blue-grey Welsh slates are normally the most appropriate roofing material, especially in particularly prominent locations. For this reason the Council will encourage the continued use of Welsh slates unless an alternative material is fully justified by the design solution employed.

**Traffic, parking and highways in conservation areas**

- 5.37 Policies regarding traffic, parking and highways also need to be applied with special care and stringency in conservation areas. It is important to retain traditional street furniture and pavement surfaces, especially in association with listed buildings. There is also a particular need to ensure that parked cars do not detract from or partly obliterate the view of the historic buildings which are the core of the conservation areas, especially when this involves the loss of grassed or planted areas from in front of the buildings. This is likely to be a restrictive factor on changing or intensifying uses, although the provision within the curtilage of a dwelling house of a hard surface, and of access to a highway which is not a trunk or classified road, is permitted by the Town and Country Planning (General Permitted Development) Order 1995 (as amended). Where parking is unavoidable or is already established on areas originally intended as front gardens, the retention or introduction of planting to a minimum width of 0.75 metres or, where historically appropriate, a wall will be required or encouraged according to available powers, and subject to highway safety considerations.

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**POLICY BE 7*****PARKING ON FORECOURTS OR FRONT GARDENS IN CONSERVATION AREAS***

Objective O11

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**Development which introduces or extends the parking of vehicles on forecourts or front gardens of buildings in conservation areas will not be permitted.**

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**LISTED BUILDINGS**

- 5.38 Buildings of special architectural or historic interest are listed by the Department for Culture Media and Sport, under section 1 of the Planning (Listed Buildings and Conservation Areas) Act 1990. The listing of a building includes any object or structure fixed to it or within its curtilage.
- 5.39 Once a building is listed, it is an offence to carry out any works for its demolition (i.e. the pulling down of a building so that it is destroyed completely or to a very significant extent) or for its alteration or extension in any manner, which would affect its special character without consent. In considering whether to grant consent for any works, the Council must have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Controls apply to the interior as well as the exterior of all grades of listed building, to all

extensions, and to all structures erected before 1st July, 1948 within the curtilage of a listed building.

### **Demolition of listed buildings**

- 5.40 There are now over 2602 listed buildings in Cheltenham; 90% of these are within conservation areas and make a significant contribution to their character and appearance. For this reason, for their wider social and historical value, and for their intrinsic attraction and national importance, the Council considers the preservation of listed buildings to be a matter of major importance. PPG15 contains a general presumption in favour of the preservation of listed buildings, except where a convincing case can be made for demolition or alteration. The preservation of facades alone, or the gutting and reconstruction of interiors, is not normally acceptable.
- 5.41 Where consent for demolition is granted, the Council will require detailed records including measured drawings and photographic negatives.

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## **POLICY BE 8**

### ***DEMOLITION OF LISTED BUILDINGS***

Objective O11

**The demolition of a listed building will not be permitted unless:**

- (a) the retention of the building is structurally and financially impracticable, taking into account all sources of finance, including associated development and grants for historic buildings; and**
- (b) every reasonable effort has been made to dispose of the building to someone prepared to retain and restore it; or**
- (c) there is an essential need in the town for development which cannot be accommodated satisfactorily by a different form of development or in a different location.**

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#### Note 1

Financial expediency will not be accepted as a factor. The Council will require applications for demolition to be supported by convincing and fully documented evidence of the validity of the exception, including a full financial analysis demonstrating that the cost of necessary repairs and renovation, including reasonable expenses and profits, but excluding the purchase price, exceeds the value of the property on completion of the works.

#### Note 2

Essential need refers to development which would produce substantial benefits for the community, such as a road or hospital extension for which there was no realistic alternative site, and which would decisively outweigh the loss resulting from demolition.

#### Note 3

See also policy CP 3 (sustainable environment).

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### **Alteration of listed buildings**

- 5.42 The alteration of listed buildings in a manner which would affect their character cannot be undertaken without listed building consent. In considering whether to grant consent, the Council must have special regard to the desirability of preserving the building or its setting or any features of special interest.
- 5.43 It is generally desirable to preserve listed buildings in their original form for historical and architectural reasons, but there may be occasions when some alteration is necessary. For instance, it may be necessary for limited alterations to be undertaken to adapt a building to modern standards. The situation may also be reached where there is no longer a demand for a building in its present form and its effective life may be extended by conversion to other uses. This may involve alterations, especially to interiors, which require listed building consent, and which will need to be localised and kept to a minimum. A particular difficulty occurs in situations where there is currently no viable use for a building in its present form (for example a large chapel) but where a change to a practicable use (for example flats) would involve undesirably radical alteration. When determining applications for such a change, the Council will take particular care to balance the loss involved in major alterations against the risk of decay and dilapidation.

- 5.44 Excepting such limited circumstances, the sub-division of listed buildings which would adversely affect their character will not normally be accepted. In considering applications for listed building consent, the Council will be concerned to distinguish between works which are essential to keep the building well maintained, and works which increase the profitability of the development but are not essential. Applicants will be required to provide full financial justification for subdivision or major alterations which are damaging and not essential for the preservation of the building. Consent will not normally be given for alterations to meet the particular needs of an individual owner.
- 5.45 Externally, Listed Building Consent will not normally be given for, amongst other things, the painting of stonework, the replacement of doors or windows in a different design from the original, the removal of mouldings, balconies and prominent chimneys, the alteration of a roof line, front or rear, the re-roofing in different materials the excavation of basement light wells (revealing more of the basement than was originally intended), the removal of original boundary walls or railings or affixing of such accretions as advertisements, vents, lights and meter boxes. The installation of cable and conduit (e.g. for telephones or cable television) can detract badly from the appearance of listed buildings, and will be carefully controlled through agreement with the licensee responsible. Where consent for alteration is given, some requirement for recording may be made.
- 5.46 There may be some detailed conservation issues which have no bearing on matters of development control – for example, issues concerning the treatment of some internal features of listed buildings where such treatment would not affect consideration of planning applications but might require listed building consent. Other examples may relate to certain types of alteration, repairs, maintenance or decoration. Annex C of PPG 15: Planning and the Historic Environment provides detailed guidance on such matters. Where consideration of such works to a listed building are principally concerned with how the works might affect the character of the listed building, reference will be made to the general criteria and follow advice as set out in section 3.5 and Annex C of Planning Policy Guidance 15 (Planning and The Historic Environment).
- 5.47 Where alterations have been carried out to a listed building which affect its character, but Listed Building Consent has not been obtained, or not complied with, the owner may be asked to apply for consent retrospectively. The Council may subsequently or alternatively prosecute and/or take enforcement action as appropriate.

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**POLICY BE 9**

***ALTERATION OF LISTED BUILDINGS***

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Objective O11

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**The external alteration of a listed building which would adversely affect its character will not be permitted, except where works are:**

- (a) necessary for the adaptation of the building to modern requirements, including the needs of disabled people, and are the minimum necessary for that purpose; or**
  - (b) essential for the prevention of dilapidation.**
- 

Note 1

The Council will require proposals under this policy to be supported by convincing and fully documented evidence as to the validity of the exception, demonstrating that the proposed alterations are the minimum required to ensure that the value of the property on completion of the works is greater than the cost of necessary repairs and renovation, including reasonable expenses and profits but excluding the purchase price

Note 2

See also policies BE 2 (residential development in conservation areas), HS 1 (housing development), and HS 3 (subdivision of existing dwellings), CP 3 (sustainable development), CP 7 (design) and table 4 (principles of architectural design)

Note 3

Materials used in the alteration, including extension, of a listed building should be of similar character and quality to those of the original building, with appropriate detailing and techniques.

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### **Boundary enclosures**

- 5.48 Boundary enclosures have a major effect on the setting of a listed building, and, where being reinstated or added, should be as historically correct in form and materials as possible.

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#### **POLICY BE 10**

##### ***BOUNDARY ENCLOSURES TO LISTED BUILDINGS***

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Objective O11

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**New boundary enclosures to a listed building should be of the same or similar design and material as the historically original enclosure.**

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### **Maintenance of listed buildings**

- 5.49 In 1990 and 1991, an initial condition survey on all listed buildings was carried out. The intention is to follow this with a more detailed investigation of buildings considered to be at risk. Where persuasion and the offer of grants do not induce the owners of such listed buildings to take adequate care of their property, legislation is available under Section 48 and 54 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to ensure that the buildings are not allowed to fall derelict. The Borough Council will make full use of available legislation to prevent listed buildings falling into disrepair, where resources permit. Action might involve the service of a Repairs Notice, the carrying out of the works by the Council in default, or compulsory purchase of the property. Where appropriate, the Council may also consider purchasing buildings by agreement in order to carry out their renovation.

### **The setting of listed buildings**

- 5.50 The setting of any building can be a major influence on its character. It is important to preserve, or where appropriate to enhance, the setting of listed buildings, not only as viewed from the highway, but as seen from all angles by those who use or visit the building. The Council is obliged to advertise development affecting the setting of a listed building (see policy CP 3 sustainable environment).

### **BUILDINGS OF LOCAL IMPORTANCE**

- 5.51 In addition to listed buildings, there are other buildings and structures in the Borough which, although unlisted, are of particular local importance for their distinctiveness or contribution to the visual or historic character of the area. Frequently such buildings are within conservation areas, which provides protection from precipitate demolition. However, the demolition of non-residential buildings outside conservation areas is not subject to planning control.
- 5.52 PPG15 indicates that it is open to planning authorities to prepare lists of locally important buildings, and to formulate policies for their protection, whilst making it clear that such buildings do not enjoy the full protection of statutory listing.
- 5.53 An Index of Buildings of Local Importance will be published as a supplementary planning document. It will seek to strengthen its powers by applying for an Article 4 Direction, which would withdraw permitted development rights for demolition of buildings included in the index. Where continuation of the original use is no longer feasible, the Council will support a change of use or, where appropriate, the inclusion of the building in a wider scheme of development.

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#### **POLICY BE 11**

##### ***BUILDINGS OF LOCAL IMPORTANCE***

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Objective O11

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**The demolition of, or harmful alteration of a building on the Index of Buildings of Local Importance will be resisted.**

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Note 1

The Borough Council will publish an *Index of Buildings of Local Importance* as a supplementary planning document. Where appropriate powers available under Article 4(2) of the Town and Country Planning (General Permitted Development) Order 1995 will be used to protect buildings within designated conservation areas; elsewhere Article 4 Directions will be used.

#### Note 2

Planning permission is not required for the demolition of non-residential buildings outside conservation areas.

#### Note 3

In cases where the demolition on the Index is sought, applicants will be required to submit a robust statement in justification. This statement should include an independent structural survey of the building, an analysis of the repair costs and market value of the building, evidence that the building has been marketed at a realistic price which reflects the condition of the building. Where the retention of a building of local importance is not justified, and this has been accepted by the local planning authority, the Borough Council will require that provision is made by the developer to accurately record the building for archive purposes prior to demolition or alteration.

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### **CARE AND AID FOR OLD BUILDINGS**

- 5.54 Cheltenham is widely known for its elegant 19th century buildings. They are important not just as individual buildings but because, they illustrate the structure of a Regency town from its grand public buildings, large villas and grand terraces to its artisan dwellings and service buildings. To retain this special Regency character, careful repair and restoration is needed using traditional materials and skilled craftsmen who are familiar with the techniques needed to work successfully on historic buildings.
- 5.55 The Borough Council will encourage the preservation and enhancement of buildings which contribute positively to the character of the town, notably 19th century buildings, 20th century buildings of particular architectural or historic interest, and those included in the Index of Buildings of Local Importance. The Council can help in a number of ways: advice and encouragement are always available; relaxations can be made regarding change of use; and, in extremis, a Building Preservation Notice can be served. It is not considered appropriate, however, to use current planning control over demolition to impose the retention of a building solely for conservation reasons. Furthermore there may be circumstances where the retention of a building cannot be justified owing to its dilapidation, especially if it does not have particular architectural, group or historical merit.

#### **New uses for old buildings**

- 5.56 Buildings at greatest risk are those that stand empty; in the case of some large, old buildings finding an occupant willing to pay for proper repairs can be difficult. In some cases a change of use may be desirable to ensure the retention and restoration of an old building where the development will not result in problems associated with inappropriate or over intensive use. Where permission has been granted as an exception to policy, specifically to make the renovation of a building financially viable, the applicant may be asked to enter into a legal agreement to undertake the necessary renovation works.

#### **Information on restoration**

- 5.57 The deterioration and abuse of old buildings is not usually wanton, but often results from a shortage of funds, lack of information on maintenance requirements, and ignorance of the best way of repairing or up-grading old buildings. The need is not only to repair the buildings, making them habitable and watertight by modern standards, but also to restore all original features and details, reinstating ironwork, windows, stucco mouldings and so on and taking proper care of driveways, etc. The settings of buildings influence their value and the attitude of their occupants, as well as enhancing their intrinsic attraction to passers by.

### **ADVERTISEMENTS AND SIGNS**

- 5.58 Appropriate advertisements and signs can give vitality and interest to a street, particularly in commercial areas. Inappropriate advertisements and signs can, however, detract from important architectural or townscape character, and a proliferation can cause clutter, confusion and loss of visual amenity. For this reason, the Council gives careful consideration to the design and location of new proposals; and, in some cases, to existing advertisements and signs which disfigure a building or street and may require action to secure their removal.
- 5.59 The display of advertisements is generally subject to the provisions of the Town and Country Planning (Control of Advertisements) Regulations, as amended 1999. These Regulations do not apply to certain classes of advertisements, including traffic signs, which give directions to motorists or pedestrians. The Regulations grant deemed consent for other classes of advertisement, which are therefore not subject

to control by the Council. Deemed consent can be restricted by the Direction of the Secretary of State, or withdrawn by Local Planning Authorities by service of a Discontinuance Notice. All other advertisements are subject to control and require express consent. These controls apply Borough-wide, and must be exercised only in the interests of amenity and public safety. These considerations are amplified in PPG19: 'Outdoor Advertisement Control'.

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## **POLICY BE 12**

### **ADVERTISEMENTS AND SIGNS**

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Objectives O3 and O11

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**The display of an advertisement, sign or noticeboard will be permitted only where its location or size would not harm:**

- (a) the appearance of the building or the visual amenity or distinctive character of the immediate neighbourhood where it is to be displayed; and**
  - (b) public safety.**
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#### **Note**

See also policies CP 3 (sustainable environment), BE 13 (advertisement and signs in conservation areas), BE 14 (advertisement hoardings in conservation areas), and BE 15 (projecting signs in conservation areas).

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#### **Shops**

- 5.60 The Council has published supplementary planning guidance on shopfronts, which includes advice on advertisements and signs.

#### **Areas of special control**

- 5.61 Local authorities have powers to define areas of special control for rural areas or urban areas, which are considered to merit protection on amenity grounds. Proposals are subject to confirmation by the Secretary of State. Within such areas, express consent is required for a greater range of advertisements (Regulation 19). Under the Regulations, local authorities have a duty to consider from time to time whether any part or additional part of their area should be designated as an area of special control, and, when an area has been designated, to consider at least once in every 5 years whether it should be revoked or modified.
- 5.62 Areas of special control were first designated in the former Cheltenham Municipal Borough in 1950, and were extended to cover the AONB in 1967. As a result of boundary changes since these dates, the Council reviewed these designations and made proposals in the draft and deposit plans to amend the areas defined, to cover the Green Belt, the AONB and the conservation areas (these areas are shown on the Proposals Map). These proposals will be reviewed again before an Order to this effect is submitted to the Secretary of State.

#### **Enforcement**

- 5.63 Where existing advertisements or signs disfigure a building or street, the Council will consider and, where appropriate, take action by means of Discontinuance Notice or other enforcement procedures to secure their removal.
- 5.64 The Council is also concerned about fly posting and will establish procedures to minimise its impact on the appearance of the town, including by prosecution, where possible. The Council will also seek to ensure that redundant advertisements, signs and supporting structures are removed.

#### **Advertisements and signs in conservation areas**

- 5.65 Inappropriate and over-extensive signs and advertisements can be particularly damaging to a conservation area; consequently, the Council intends to exercise special care over the control of advertisements in these areas. To this end it will consider the designation of all conservation areas as Areas of Special Control of Advertisements (see paragraphs 5.62 – 5.63). Within these areas, a particularly high standard of design, materials and finish will be required, and all advertisements will need to suit the particular character of a building and its surroundings, even though this may involve

adapting or abandoning a corporate image. In assessing planning applications for advertisements on buildings within conservation areas, the Council will have regard to relevant supplementary planning guidance (*Shopfront Design* and *Signs and Advertisements on Listed Buildings in Commercial Use*).

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**POLICY BE 13**

**ADVERTISEMENTS AND SIGNS IN CONSERVATION AREAS**

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Objective O11

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**Advertisements and signs in conservation areas should be appropriate in type, size, colour, illumination and location to the character of the building or site where displayed and to the surrounding area, and also to be of an appropriately high standard of design, materials and finish.**

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- 5.66 As part of its proposal to improve the amenity of conservation areas by preventing unnecessary and obtrusive advertisements, the Council proposes that advertisement hoardings should no longer be sited in them. An exception to this is the placing of advertisements within bus shelters in agreed locations as part of a comprehensive scheme of provision.

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**POLICY BE 14**

**ADVERTISEMENT HOARDINGS IN CONSERVATION AREAS**

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Objective O11

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**In conservation areas:**

- (a) the erection of advertisement hoardings; or**
  - (b) the display of advertisements on bus shelters except those in agreed locations which form part of a comprehensive scheme of provision will not be permitted.**
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- 5.67 Certain streets in commercial use in the Central Conservation Area are particularly vulnerable to advertising. In these areas, projecting signs will be resisted, although an exception may be made for traditional hanging signs to public houses.

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**POLICY BE 15**

**PROJECTING SIGNS IN CONSERVATION AREAS**

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Objective O11

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**Projecting signs in Promenade, Montpellier Walk, Montpellier Street, Montpellier Avenue and Queen's Circus will be resisted.**

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- 5.68 Petrol filling stations and car sales areas can be large, obtrusive and difficult to integrate into the historic fabric of a conservation area. Such establishments have legal obligations regarding the display of information, but also have *deemed consent* for considerable areas of advertisement. Nonetheless, the Council wishes to control and, where possible, improve the appearance of these premises, particularly within conservation areas. The buildings and canopies should relate to the scale of adjacent properties and not be over obtrusive, particularly in the introduction of over-sized horizontal features. Tower signs should not rise above traditional fascia level. Garage shops will need to take account of supplementary planning guidance the *Shopfront Design Guide*, where relevant.

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**POLICY BE 16****PETROL FILLING STATIONS AND CAR SALES IN CONSERVATION AREAS**

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Objective O11

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**Signs and displays at petrol filling stations and car sales establishments in conservation areas should be limited to a level commensurate with the need to preserve or enhance the character of the area, bearing in mind the legal and practical requirements of the operators.**

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**Advertisements and signs on commercial listed buildings**

- 5.69 Inappropriate signs and advertisements arising from commercial use can severely damage the appearance and character of listed buildings. Many listed buildings are in conservation areas, which are subject to special control. The Council will consider applications for new signs and advertisements in the context of the following policy.

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**POLICY BE 17****ADVERTISEMENTS AND SIGNS ON LISTED BUILDINGS**

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Objective O11

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**New advertisements and signs on or in the curtilage of a listed building in commercial use will be permitted where they would not detract from the integrity of the building's design, historical character, structure, or setting.**

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Note

In determining applications for planning permission or listed building consent, the Council will take account of its published supplementary planning guidance *Signs and Advertisements on Commercial Listed Buildings*.

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**Street furniture**

- 5.70 A very important element in the appearance of the town together with the buildings, gardens and trees, is the highway; its surfacing, cleanliness and street furniture such as street lights, bus shelters, refuse bins, and road signs. It is important that signs should be kept to the necessary minimum and be of an appropriate design, that a high standard of other street furniture should also be provided, and that the necessary resources be made available to achieve these improvements.
- 5.71 Street furniture of character or historic interest, notably street signs and cast iron lamp standards, will be retained wherever possible and carefully salvaged when they cannot remain in their original positions. New street furniture, when required, will be of an appropriately high standard of design.
- 5.72 To assist in the selection and use of street furniture, and of highway material, the Council has published *Highway Materials and Street Furniture: A policy for ensuring consistency of materials, design and siting in the highway*.

**Surface materials**

- 5.73 In more sensitive parts of the town, the retention of slab paving, stone kerbs, Forest of Dean cross-overs, or other traditional surfaces, such as grass verges, provides a more sympathetic setting for Cheltenham's buildings than the introduction of cheaper, less attractive materials, although the retention of such surfaces may incur higher maintenance costs. The success of pedestrian priority areas in particular will depend on the attractive use of high quality materials.
- 5.74 The New Roads and Street Works Act 1991 brought about substantial changes in responsibility for the reinstatement of footways. Section 70 of the Act states: *'It is the duty of the undertaker by whom street works are executed to reinstate the street.'* In practice, reinstatement works are usually undertaken by contractors on behalf of the undertaker. A revised Code of Practice relating to the Act, "Specification for the Reinstatement of Openings in Highways", was issued by the Department of Transport in 2002. This set out alternative methods of reinstatement, but leaves the choice of method to the undertaker.
- 5.75 In the conservation areas, the Council will encourage the immediate and complete reinstatement of footways, so that modular materials, such as paving slabs, bricks or blocks, are not lost.



### **Landscaping of new roads**

- 5.76 New roads, while serving important transport functions, can be intrusive elements in the urban scene. Within existing areas, they can expose rear yards and gable walls, and can appear as significant physical and visual barriers to pedestrian movement. It is important, therefore, that an urban design approach is taken to their design and landscaping to mitigate such problems, covering not only the highway but also adjacent land, where appropriate.

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## **POLICY BE 18**

### **DESIGN AND LANDSCAPING OF NEW ROADS**

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#### Objective O11

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**New roads should be designed and landscaped to a high standard including, where necessary, proposals for the treatment of land adjoining the highway, including boundary enclosures.**

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## **ARCHAEOLOGY**

### **Archaeology in Cheltenham**

- 5.77 Although best known for its development as a Regency spa, Cheltenham is of medieval or earlier origin, identified through archaeological excavations.
- 5.78 Cheltenham is likely to have been settled in the prehistoric and Roman periods. Excavations in the town centre and Arle Court area have identified evidence of Iron Age settlement, while Roman settlement and field systems have been identified in Pittville and the area of St James'. Information from the Roman period suggests a low level of activity; the town was not served by the Roman road system. Medieval settlement centred on the church of St. Mary (founded in 1011 AD) and the town's urban status was recognised in 1226 AD when permission for a weekly market was given. The pattern of the medieval tenement boundaries leading off at right angles to the High Street can still be seen, fossilised in the existing property boundaries.
- 5.79 The Secretary of State, under S.1 of Ancient Monuments and Archaeological Areas Act 1979, compiles a schedule of ancient monuments which it is an offence to damage. There are 6 such monuments within the Borough, which are indicated on the Proposals Map:
- \* Prestbury Moated Site
  - \* Leckhampton Moated Site
  - \* Northfield Round Barrow
  - \* Hewletts Camp, Battledown
  - \* Churchyard Cross, St. Mary's Churchyard, town centre
  - \* Churchyard Cross, St. Mary's Churchyard, Charlton Kings.

### **Archaeology and development**

- 5.80 Policy NHE.6 of the Structure Plan requires scheduled ancient monuments to be preserved and sites of archaeological importance to be protected from the adverse effects of development. This Council co-operates in these matters with the County Archaeological Officer who monitors and advises on the archaeological implications of development proposals.
- 5.81 Archaeological excavation is the principal means by which further evidence of the early history of the town can be uncovered. Many areas of the town have already been disturbed by the construction of cellars or by large scale modern development. It is important that the remaining sites with archaeological potential are appropriately recorded or protected as necessary; archaeological remains are a vulnerable, finite and non-renewable resource.
- 5.82 The setting of known sites may also need protection. In considering planning applications affecting sites of known or potential archaeological interest, the Council will consult and be guided by the County Site and Monuments Record (SMR) regarding individual locations. Developers are advised to consult the County SMR in advance of submission of a planning application, to obtain a preliminary indication of the archaeological implications of proposed development.

- 5.83 In order to assess the archaeological implications of a proposed development, the Council may request a developer to commission an archaeological assessment (see supplementary planning guidance on *Submission of Planning Applications*) and, where appropriate, limited excavation, before determining a planning application.
- 5.84 PPG16 gives guidance to local planning authorities on dealing with archaeological remains and potential under the development plan system. It indicates that where nationally important archaeological remains, whether scheduled or not, and their settings are affected by proposed development there should be a presumption in favour of their physical preservation. The preservation in situ of other remains by the careful design, layout and siting of new development, where this is otherwise acceptable, is also the preferred solution. Where this is not feasible, and as a second best option, the excavation and recording of remains should be undertaken prior to construction.
- 5.85 Where the preservation of a site of archaeological interest is not feasible, the Borough Council will initiate discussions at an early stage to ensure that provision is made by the developers (including funding where necessary) for archaeological investigations and recording, either prior to or during development, as appropriate to archaeological requirements. This provision will be secured, where appropriate, by means of planning conditions or obligations under section 106 of the Town and Country Planning Act 1990. The Council will also require the findings of archaeological investigations to be made available for publication.

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**POLICY BE 19*****NATIONALLY IMPORTANT ARCHAEOLOGICAL REMAINS***

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Objective O11

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**There will be a presumption in favour of the physical preservation in situ of nationally important archaeological remains and their settings.**

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**POLICY BE 20*****ARCHAEOLOGICAL REMAINS OF LOCAL IMPORTANCE***

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Objective O11

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**Development affecting sites of local archaeological importance will be permitted where the remains are preserved (note):**

**(a) in situ; or**

**(b) only if this is not feasible, by record.**

**Where remains are to be preserved in situ, measures adequate to ensure their protection during construction works will be required.**

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Note

The preservation in situ or the excavation and recording of remains prior to and during development should be supervised or undertaken by a competent archaeological organisation.

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# 6 : URBAN GREEN ENVIRONMENT

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## INTRODUCTION

- 6.1 One of Cheltenham's distinctive features is its green and open nature. The Council recognises the importance of green spaces and their connectivity in the town and to the surrounding countryside, and particularly the opportunities they provide for recreation and relaxation, contributing to the health and well being of residents and visitors. In addition, green spaces add to the quality of the town's built and natural environment. The landscape of the town provides a green network of spaces and wildlife corridors which support a variety of trees, vegetation, and wildlife habitats, assisting in biodiversity conservation throughout the town, and, into the wider countryside.
- 6.2 Peripheral expansion of Cheltenham is restricted by the Green Belt and the Cotswolds Area of Outstanding Natural Beauty. This increases pressure to develop open spaces within the urban area, many of which, being within the curtilage of buildings, are defined by PPG3 as previously developed land and may contribute to biodiversity of the town. This pressure is intensified by the fact that, in terms of profitability, such spaces are most attractive to developers because of the relative ease and low cost of development. These two factors, plus the continuing financial pressure public bodies and other organisations are under to identify and dispose of land surplus to requirements, constitute a continuing threat to open spaces within the town.
- 6.3 In November 2000 the Government published the Urban White Paper, '*Our Towns and Cities : The Future - Delivering an Urban Renaissance*'. This paper recognised the importance of green spaces in making towns and cities more attractive places to live. It stated:
- 'The challenge for us all is to find ways of improving the quality of parks, play areas and open spaces and make them cleaner, safer and better maintained places. We need to think more imaginatively about the kind of open spaces that can make a difference to the quality of people's lives in urban settings.'*
- 6.4 A product of the Urban White Paper was the creation of an Urban Green Spaces Task Force. The remit of the Task Force was to halt the decline of public parks and green spaces. Their final report, entitled '*Green Spaces, Better Places*', states that parks and diverse green spaces should be at the centre of the renaissance of towns and cities. This report has provided the basis and fed into other Government statements, including;
- Living Places – cleaner, safer, green;
  - Sustainable Communities;
  - CABE SPACE; and
  - Liveability Fund.

## STRUCTURE PLAN CONTEXT

- 6.5 Protection of the environment is a key objective of the Structure Plan Second Review. Its policies, set within the context of sustainable development, aim to ensure a proper balance between development needs and the amenity and environmental quality of urban areas, such as Cheltenham. Policies S.1, S.6 and S.7 set requirements for local authorities to safeguard and enhance environmental features and qualities, seek to protect wildlife habitats, encourage their enhancement and creation, and retain and provide new open spaces when considering proposals for new development. The Plan makes specific reference to the importance of open spaces within urban areas. Policy RE.2 promotes the provision of accessible open spaces in new residential development, and resists development on existing open spaces or playing fields.

## LOCAL PLAN APPROACH

- 6.6 The Council is proud of its parks, gardens and other green spaces and features. In recognition of this, the Council does not wish to see their loss through development, or their deterioration through poor management and lack of resources and funding. The Council will seek to protect existing open spaces within the town, enhance and improve their management to provide improved facilities for recreation and nature conservation, and provide new green features where appropriate. The Council will also encourage others to undertake the same.

## THE VALUE OF GREEN SPACE

- 6.7 Green space is undeveloped land, not necessarily provided for formal recreation or public amenity, which makes a positive visual and environmental contribution to the town. Green space in the urban environment occurs in a variety of forms:
- public parks and ornamental gardens associated with, and intrinsic to, the setting and form of Cheltenham;
  - grounds of large houses, institutions, commercial and educational properties;
  - public and private playing fields;
  - incidental open spaces associated with the layout of planned housing (and industrial) estates;
  - children's play space in residential areas;
  - allotments;
  - private gardens; and
  - various other open spaces, including land incidental to the laying out of roads, footpaths and cycleways.
- 6.8 Green space in the urban environment has worth for its townscape, environmental, wildlife and recreational values. PPG17 on Sport, Open Space and Recreation, published in July 2002, describes the contribution open spaces make to people's quality of life, and in making towns and cities attractive places in which people will want to live. It states that open spaces should be recognised not only for their recreational and community value, but also for their contribution to urban quality, and for supporting wildlife. The Borough Council will take these issues into account when making development control decisions and formulating local plan policies.
- Townscape value**
- 6.9 'Townscape' can be defined as the positive features of a place, which create a special identity for a given area. Primarily buildings and green spaces create this identity. These features are supported by other elements, such as materials, trees and street furniture, which may add to the character of the townscape. High quality townscape creates distinctive places within the public realm which are valued by the people that use them and contribute towards a sense of civic pride.
- 6.10 There are definable ways in which green space contributes towards the townscape, the most significant of which are:
- Structuring the urban form**
- 6.11 The heart of Cheltenham is the Regency town, a particular feature of which is the pervasive feeling of spaciousness and grace created by the complementary formal parks and gardens and elegant architecture. This area is designated as a conservation area. The green spaces are a very important element of this exceptional urban environment. However, in the wider area of Cheltenham, green space is just as important to the local townscape and character, and is as highly valued by residents.
- ◆ **Views and vistas**
- 6.12 In an environment typified by high density development, open spaces are important in providing landmarks, views and vistas which create relationships between the built environment and the landscape, and open countryside. Such views and vistas in Cheltenham, seen from within and outside the town, and penetrating deeply into the built form, provide recognisable features of navigational legibility, and contribute to the distinctive identity of the town.
- ◆ **Providing a setting for buildings**
- 6.13 The special character and appearance of a building or group of buildings is often enhanced by a green and open setting. Where a building has been listed as being of special historic or architectural interest, the protection of its setting from development is particularly important. This applies not only to the area open to public view, but also to those areas to the sides and rear seen only by those who use or visit the building.
- Environmental value**
- 6.14 In addition to its visual importance, green space contributes to an urban environment in other ways. By creating lower densities of development it can reduce levels of activity in an area, thereby contributing to

a more peaceful and relaxed ambience, a benefit equally important in commercial and residential areas.

- 6.15 Human life, health and well being depend on a healthy natural environment. Vegetation contributes to the physical well-being of a town by absorbing carbon dioxide and releasing oxygen, so improving the quality of air. Acting as a baffle, it can also absorb and so reduce noise.

#### **Wildlife value**

- 6.16 Green spaces are essential in providing habitats for a wide range of flora and fauna. Some green spaces, particularly the more extensive and relatively undisturbed grounds of large houses and non-residential properties, may also harbour legally protected species such as barn owls, badgers and bats. Green spaces are therefore of significance to nature conservation.

#### **Recreational value**

- 6.17 Much public green space is provided primarily for public recreation use, but also has an amenity value. However, green spaces do not have to be large to be enjoyed. Other types of green space, which have been provided for their townscape value, can often also afford opportunities for informal recreation such as walking, kite flying and dog walking. All these spaces contribute to the health and well-being of the community. Policies protecting outdoor play space, and also safeguarding amenity space with an incidental recreational value, are set out in the Culture and Recreation chapter.

#### **Economic value**

- 6.18 High quality parks and green spaces can be associated with adding economic value, by improving the quality of the townscape, assisting in urban regeneration and neighbourhood renewal projects, improving the attractiveness of locations for businesses, creating community enterprise and generating new employment.

#### **Social value**

- 6.19 Access to urban green spaces can promote healthy living, wellbeing and education. Green spaces provide the community and visitors with opportunities for physical recreation and relaxation, and for social interaction.

#### **Public green space**

- 6.20 The Council itself owns a substantial amount of Cheltenham's green space, including some of the most prominent and significant. The visual, environmental and recreational value of this space is enhanced by its public accessibility. The Council, in recognising its own role of stewardship of this green space, will safeguard it from loss or erosion as a result of development. It is important that proposed public green space is protected as well as appropriately funded and maintained, if it is to fulfil the function the Council intends.
- 6.21 In its role as custodian of public green spaces the Council will seek opportunities to improve the value of existing spaces. PPG17 sets out that local authorities need to assess existing and future community and visitor needs for open spaces. PPG 17 states:  
*'Assessments and audits will allow local authorities to identify specific needs and quantitative or qualitative deficits or surpluses of open space in their areas.'*
- 6.22 The Council will prepare a Green Space Audit and Strategy for the use of green spaces within Cheltenham.

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### **POLICY GE 1**

### **PUBLIC GREEN SPACE**

Objectives O12, O18 and O26

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### **The development of areas identified as 'Public Green Space' or 'Proposed Public Green Space' will not be permitted.**

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#### **Note 1**

The areas to which this policy applies are shown on the Proposals Map.

## Note 2

The Green Space Audit and Strategy will assess quality, quantity and accessibility, and inform the role and function of green spaces. In assessing the role and function of green spaces the Council will apply the principles of PPG17, considering all the functions that open space can perform.

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### **Private green space**

- 6.23 A considerable amount of green space is owned privately, in the form of playing fields and the grounds and gardens of commercial, educational and domestic property. The value of such green spaces to the town can equal that which is publicly owned. Unfortunately such green space is often considered by owners to be a valuable resource; a financial resource which may be realised through development, or an opportunity to expand existing premises or provide better facilities such as car parking. Developments of this nature can be to the detriment of the townscape and environmental value of green space. The Culture and Recreation chapter sets out provisions for the protection of playing fields within the Borough.
- 6.24 Some of the most extensive and important private green areas, especially in the Central Conservation Area, are school grounds. These establishments naturally prefer to use their existing land holdings to develop new facilities near to old in order to create a '*campus style*' complex, and have a special need to do so because their users are young children. The Council recognises the need of these establishments to improve their facilities to flourish in a competitive market and, because of their contribution to the prosperity and image of Cheltenham, will work with them to find suitable locations within or near their holdings, which would not harm areas of significant townscape and environmental value.
- 6.25 The recreational value of individual green spaces as distinct from environmental value is considered separately in the Culture and Recreation chapter.

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## **POLICY GE 2**

### **PRIVATE GREEN SPACE**

Objectives O12 and O18

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**The development of private green areas, open spaces and gardens which make a significant townscape and environmental contribution to the town will not be permitted.**

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#### Note 1

See also policy CP 3 (sustainable environment).

#### Note 2

The fact that a site is the most cost-effective development option for the applicant is not justification for an exception to policy GE 2, nor is the present lack of an alternative site.

#### Note 3

In determining whether a green space has a significant townscape and environmental value, the Council will have regard, among other factors, to its contribution to the following:

- (a) the spacious character of the town;
- (b) the quality of the local townscape;
- (c) the established character of the locality;
- (d) the setting of an important building or group of buildings;
- (e) important landmarks, views and vistas within and out of Cheltenham;

This list of considerations is not intended to be exclusive.

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### **Large properties with extensive grounds**

- 6.26 There are many large properties in Cheltenham which were originally private homes. Some are still in this use, but more have been converted to flats, nursing homes, private schools, business premises and other uses. These properties are usually set in extensive grounds. The maturity of these grounds

- creates particularly attractive and valuable green spaces, and the least disturbed areas will also often contain well established plant and animal habitats.
- 6.27 In cases where the Council is satisfied that some limited development could be accommodated without conflict with policy GE 2, the Council will expect the specific requirements of the policy GE 3 to be observed.
- 6.28 Opportunities to increase the recreational use of these grounds where it is compatible with the use of the development will be explored by the Council. This is most likely to take the form of a 'Management Agreement'.

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### **POLICY GE 3 DEVELOPMENT WITHIN EXTENSIVE GROUNDS**

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Objectives O12 and O18

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**In considering planning applications for development within extensive grounds, the Borough Council will have regard to the height and location of existing buildings within or adjacent to the site and to the main features of the site and will require, where appropriate:**

- (a) mature trees to be retained; and**
  - (b) existing landscaping to be retained and enhanced; and**
  - (c) new landscaping to be provided; and**
  - (d) disturbance of significant habitats to be avoided.**
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Note

See also policy CP 3 (sustainable environment).

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### **ACCESS TO AND ACCESSIBILITY OF PUBLIC AND PRIVATE GREEN SPACES**

#### **Access**

- 6.29 The recreational value of the green spaces will be enhanced by improved public access. The Council will ensure public access to all green spaces under its control. The Council will explore with private landowners appropriate opportunities for public access to private land. This may take the form of the goodwill of the landowner, or by way of a formal agreement.

#### **Accessibility**

- 6.30 Green spaces should be easily accessible to all members of the community to assist in promoting health and well being. Physical constraints, such as roads, private land, poor lighting; and social and cultural constraints, such as personal safety may restrict access to green spaces.
- 6.31 In 1995 English Nature published '*Accessible Natural Greenspace in Towns and Cities*'. This report sought to identify size and distance criteria to accessible green spaces in urban areas. The findings of this report were used to develop '*Accessible Natural Greenspace Standards*'. This standard requires:
- green space of at least 2 hectares in size available within 300m of every household;
  - provision of at least 2 hectares of local nature reserve per 1,000 population;
  - green space of at least 20 hectares in size available within 2km of every household
  - green space of at least 100 hectares available within 5km of every household, and;
  - green space of 500 hectares available within 10km of every household.
- 6.32 The Borough Council is aware that the tightly drawn urban boundary of Cheltenham, together with the density of urban development and the pressures to accommodate new development, makes achievement of the Accessible Greenspace Standard unrealistic. The Council will use the standard as a yardstick in assessing and measuring existing green spaces and identifying locations for new sites through a strategic approach, which would be beneficial to the community of Cheltenham.

### **PARKS AND GARDENS**

- 6.33 Cheltenham is justly renowned for its formal parks and gardens, which are an essential part of the Borough's character, and have gained it a reputation as the 'Garden Town of England'. This character

is enhanced by the Borough's participation in the Britain in Bloom competition, which it has won on a number of occasions.

- 6.34 The Council will seek to apply principles of sustainability in maintaining its parks and gardens, and to identify opportunities for sustainable landscape and ecological management practices which will support and enhance biodiversity.

### **Register of Parks and Gardens**

- 6.35 In 1986 the Historic Buildings and Monuments Commission for England (now known as English Heritage) introduced a register of Parks and Gardens of Special Historic Interest. Two sites within Cheltenham are included on the register and are considered of national importance: Pittville Park and Bouncers Lane Cemetery.

- 6.36 The Register affords no additional statutory controls, but places an onus on the Council to make provision for the protection and stewardship of the historic environment of these sites in the development plan and the allocation of resources. They will therefore be given special consideration when proposals for development in the area are contemplated, including flood control measures.

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## **POLICY GE 4**

### ***PITTVILLE PARK AND BOUNCERS LANE CEMETERY***

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Objectives O12 and O18

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#### **Development which would adversely affect the setting or appearance of Pittville Park and Bouncers Lane Cemetery will not be permitted.**

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#### **Note**

The Borough Council will consult English Heritage, the Garden History Society, and the Gloucestershire Gardens and Landscape Trust on all applications affecting Pittville Park and Bouncers Lane Cemetery.

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### **Imperial Gardens**

- 6.37 Montpellier and Imperial Gardens offer very attractive green spaces close to the town centre and are an important part of the Regency townscape.
- 6.38 Imperial Gardens provide an attractive and central area of outdoor recreation and are a significant tourism resource. The formality of the gardens, with their well laid out flower beds, provides for the more passive recreational activities, and the refreshment pavilion and summer art exhibitions provide valuable tourist facilities and attractions.
- 6.39 The Council recognises the need to re-affirm and strengthen the character of the gardens.

### **Montpellier Gardens**

- 6.40 Montpellier Gardens are less formal than Imperial Gardens and are used more for informal and active recreation.
- 6.41 In 1997 the Council was awarded Heritage Lottery Funding to prepare a historical restoration management plan for Montpellier Gardens. In 2004 the Borough Council's application for Stage 2 funding was approved and a grant was awarded to meet the majority of the total costs of restoration. Work started in the gardens in Summer 2006. The work, due to be completed in Spring 2007 will include infrastructure renewal, restoration of the Proscenium building, toilet block refurbishment, installation of new railings along Montpellier Walk, removal of 4 tennis courts to create a new family play/picnic area, resurfacing of all paths and enhanced lighting for pedestrians and cyclists.

## **TREES**

### **The importance of trees**

- 6.42 Aerial photographs of Cheltenham illustrate how wooded the town is. Trees populate most green spaces and are also found alongside many of the town's roads; avenues of roadside trees were a notable characteristic of Regency Cheltenham which has continued until today, supported by new planting which has sought to perpetuate the Regency style. In addition to being a pleasant feature in



the townscape and providing valuable wildlife habitats, trees have other environmental benefits. They help to reduce the effects of global warming, by absorbing carbon dioxide, which is a major 'greenhouse' gas, and other pollutants. On a local scale trees provide shade and shelter, reduce noise and stress and encourage inward investment and add economic value.

### **The protection, replacement and management of trees**

- 6.43 Conservation area status and Tree Preservation Orders are the Borough Council's only sources of legal protection for trees on private land. No work can be carried out to protected trees without first notifying the local planning authority, and in the case of trees subject of a preservation order, express consent is required. Violation of protected status is liable to legal action and a fine. Felling licences, issued by the Forestry Commission, may also be needed for felling specific volumes of trees.

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## **POLICY GE 5 PROTECTION AND REPLACEMENT OF TREES**

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Objective O12

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**The Borough Council will resist the unnecessary (note 1) felling of trees on private land, and will make Tree Preservation Orders in appropriate cases.**

**For protected trees (note 2), the Council will require:**

- (a) any tree which has to be felled to be replaced, where practicable (note 3); and**
- (b) pruning, where it is necessary, to be undertaken so as to minimise harm to the health or general appearance of a tree.**

**In cases where trees are not protected by a Tree Preservation Order or by being in a conservation area, but contribute to the townscape and character of the town, the Council will consider including such trees in a Tree Preservation Order.**

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Note 1

The felling of a tree will be necessary only where it is diseased, unsafe, or causing harm to buildings or infrastructure. The Borough Council will seek to retain trees that are dead or dying where they contribute to the conservation of biodiversity, where they pose no harm to public safety or property.

Note 2

Protected trees are those within conservation areas or subject to Tree Preservation Orders.

Note 3

The legitimate felling of protected trees will require replacement planting. The Council will determine the location, size and species of the replacement.

Note 4

See also policy CP 3 (sustainable environment).

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### **Trees and development**

- 6.44 Trees enhance development by softening the appearance of built structures and creating a sense of maturity.
- 6.45 Development sites often contain trees, which can be incorporated into development schemes. Such trees together with new planting can add economic as well as environmental value to development
- 6.46 Section 197 of the Town and Country Planning Act 1990 states: *'it shall be the duty of the local planning authority to ensure, whenever it is appropriate, that in granting planning permission for any development adequate provision is made by the imposition of conditions for the preservation or planting of trees.'*
- 6.47 The Council will also seek possibilities for new planting, both in conjunction with development, and separately. Priority areas will be the conservation areas and the principal approach roads. The Council will also encourage the planting and replacement of trees on private land. The Borough Council has prepared supplementary planning guidance on landscape which will provide guidance to developers on appropriate planting both in terms of species and contribution to urban design. 75% of new replacement trees will be of native stock.

- 6.48 Whether trees are to be retained or planted in conjunction with new development, careful planning will be required at each stage until the development is complete, so as to avoid problems as the trees grow. The process must begin with a survey of existing trees and services (see Supplementary Planning Guidance –*Submission of Planning Applications*) to provide a basis for deciding which trees might be suitable for retention. This must include not only trees within the site but any adjoining or overhanging trees which might be affected by the development.
- 6.49 In planning for the retention or planting of trees, the age, health, habitat and potential height and spread of each species should be taken into account. The positioning of trees or buildings in relation to each other should be carefully considered to ensure that a tree will not be harmed or require harmful pruning as it grows, or cause damage to buildings or services. The effect of trees on views and on daylight and sunlight to buildings must be considered.
- 6.50 All planning applications where applicable, must include details and methodology for tree protection from the commencement of development to completion, to ensure that trees are not damaged by construction work.
- 6.51 Where possible, new trees should be planted within a development site. Where this is not practicable (for instance because of the size or shape of a site or the disposition of underground services), the Council will encourage developers to fund the planting of street trees close to the site. Where appropriate the Council will require developers to submit a detailed landscape assessment, including provision for new tree planting.

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**POLICY GE 6**  
**TREES AND DEVELOPMENT**

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Objective O12

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**Development which would cause permanent damage to trees of high value (note 1) will not be permitted.**

**The following may be required in conjunction with development:**

- (a) the retention of existing trees; and**
  - (b) the planting of new trees (note 3); and**
  - (c) measures adequate to ensure the protection of trees during construction works.**
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Note 1

'High value' means a sound and healthy tree with at least 10 years of life remaining which makes a significant contribution to the character or appearance of a site or locality

Note 2

The preservation and planting of trees in conjunction with development should take account of the guidance in British Standard 5837 : 2005.

Note 3

Where appropriate the Council will seek agreement from developers for the planting of new trees off-site.

Note 4

See also policy CP 3 (sustainable environment).

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**LANDSCAPING AND OTHER GREEN FEATURES**

- 6.52 Landscaping, whether using hard or soft materials, is an important element in development schemes. It can create character and a sense of place, reflect local distinctiveness, provide an attractive setting for buildings and sheltered environments for people, screen views, support and extend wildlife habitats, and add financial value to development sites. Landscaping can be newly created or it can include or be based on existing site features, such as trees, hedgerows, streams, ponds and significant wildlife habitats or corridors.
- 6.53 Landscaping of development should be considered within the context of the wider area, including consideration of the site's setting, and species used for planting in and around the site. Policy CP 3

(sustainable environment) is relevant in the consideration of landscaping issues together with supplementary planning guidance on *Amenity Space in Residential Developments*.

### **The protection of natural features on proposed development sites**

- 6.54 PPS9 – Biodiversity and Geological Conservation (August 2005), and The Conservation (Natural Habitats, &c.) Regulations (1994) require local plans to consider the conservation of the natural beauty and amenity of land, particularly features which are of major importance for flora and fauna.
- 6.55 Where appropriate, applications for development will be required to include an accurate survey of existing landscape features that might be affected by development. This should identify the measures to be undertaken to safeguard these features as part of the development (see Supplementary Planning Guidance on *Submission of Planning Applications*). The relative merits of the development proposals and the value of landscape features will be assessed before determining any planning applications.
- 6.56 Where permission is granted for development, any landscape features identified by a survey as worthy of retention must be included in a comprehensive landscaping scheme for the site. Conditions will be attached to any permission to ensure that such features are retained and protected during construction.

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## **POLICY GE 7**

### **ACCOMMODATION AND PROTECTION OF NATURAL FEATURES**

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Objectives O12 and O18

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**Where planning permission for development is granted subject to the retention of existing landscape features or wildlife habitats, the following will be required:**

- (a) such features to be appropriately integrated within an overall landscaping scheme for the proposed development; and**
  - (b) specified features to be properly protected prior to any equipment, machinery or materials being brought on site and during construction; and**
  - (c) the long term management of features to be secured.**
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Note 1

The Borough Council will require an agreed programme of protection to be implemented prior to and during construction.

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### **Landscaping of development sites**

- 6.57 Where appropriate, the Council will require development to protect and enhance the visual amenity of the locality by designing and laying out a proportion of the site as landscaped areas, in accordance with policy CP 3 (sustainable environment.) The provision of such landscaped areas should be commensurate with the scale and type of development. Specific requirements for open space provision within new residential development are set out in policy RC 6.

# 7 : COUNTRYSIDE

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## **INTRODUCTION**

- 7.1 Cheltenham owes much to its setting at the foot of the Cotswold escarpment. The town's eastern fringes include the high quality scenery of the escarpment, with landscape and woodlands that are amongst the most attractive in the English countryside, which are designated as part of the Cotswolds Area of Outstanding Natural Beauty (AONB). Beyond the western edge of the town lies the flatter open countryside of the Severn Vale, where the designation of a Green Belt has helped to maintain a clear differentiation between Cheltenham and the neighbouring city of Gloucester and Bishop's Cleeve.
- 7.2 About 38% of the Borough is countryside. It accommodates the activities of agriculture, forestry and recreation as well as providing habitats for a diversity of wildlife. Sometimes problems of trespass or damage to property indicate conflict between these activities. The countryside is also under continued pressure from developers, especially for residential development, which threatens to erode its character. These problems are most acute on the urban fringes.
- 7.3 PPS7, Sustainable Development in Rural Areas, states that planning authorities should continue to ensure that the quality and character of the wider countryside is protected and, where possible enhanced.

## **THE STRUCTURE PLAN**

- 7.4 The Structure Plan considers the countryside as part of Gloucestershire's natural and historic environment.
- 7.5 Policy NHE.1 protects the countryside's character, appearance and non-renewable and natural resources from harmful development, and policy NHE.2 its biodiversity.
- 7.6 Policy NHE.3 protects the best and most versatile agricultural land from development. Policy NHE.4 gives priority over other considerations to the natural beauty of areas of outstanding natural beauty.
- 7.7 Policy GB.1 maintains the Green Belt between Gloucester and Cheltenham and north of Cheltenham, and only permits development, which would not compromise its open character or contribute to the coalescence of settlements.

## **LOCAL PLAN APPROACH**

- 7.8 The Local Plan aims to protect and enhance the countryside, most of which is within the AONB and Green Belt, and also important wildlife habitats, trees and landscape areas. Measures to enhance the natural landscape of the Borough, for the sake of natural beauty and to increase opportunities for public involvement, are also proposed, especially where there are important wildlife habitats.

## **THE SETTING OF CHELTENHAM**

- 7.9 The Council considers that Cheltenham's attractive setting on the edge of the Cotswold escarpment and the Severn Vale is one of its prime assets, and will therefore seek to protect and encourage the appropriate enhancement of this setting (see policy CP 3 - sustainable environment).
- 7.10 If town and countryside are to retain their attractive qualities and their integrity, the maintenance of policies preventing urban sprawl and sporadic development is essential. Policies relating to new development in the AONB or Green Belt cover all of the countryside areas of the Borough.

## LANDSCAPE CHARACTER

- 7.11 In its guidance on landscape assessment, Natural England emphasize that  
*'the term landscape refers primarily to the visual appearance of the land, including its shape, form and colours. It also reflects the way in which these various components combine to create specific patterns and pictures that are distinctive to particular localities. However, the landscape is not a purely visual phenomenon, because its character relies closely on its physiography and its history. Hence, in addition to the scenic or visual dimension of the landscape there are whole ranges of other dimensions, including geology, topography, soils, ecology, archaeology, landscape history, land use, architecture, and cultural associations. All of these factors have influenced the formation of the landscape, and continue to affect the way in which it is experienced and valued.'*
- 7.12 Where appropriate, the quality of landscape will be taken into account when proposals for development are assessed, in order to ensure that character and visual amenity are conserved and where possible enhanced.

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### POLICY CO 1

#### LANDSCAPE CHARACTER

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Objectives O9, O10 and O12

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**Development will only be permitted where it would not harm:**

- (a) attributes (note 1) and features (note 2) which make a significant contribution to the character, distinctiveness, quality and amenity value of the landscape; and**  
**(b) the visual amenity of the landscape.**
- 

Note 1

'Attributes' of the landscape are defined as being the inherent characteristics of the locality, including openness or enclosure, key views or vistas, topography, and patterns in the landscape such as those defined by historic land uses, roads and lanes, buildings, hedgerows or water courses.

Note 2

'Features' include those constituent parts of the landscape that either in their own right, or in combination with landscape attributes, give the locality its particular character and distinctiveness, including for example, trees, hedges, geological or geomorphological features, rights of way, watercourses, ponds and buildings as well as other structures.

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## COTSWOLDS AREA OF OUTSTANDING NATURAL BEAUTY

- 7.13 The County Development Plan 1955 originally defined part of the Cotswolds as an Area of Great Landscape Value. This area has subsequently been largely overlaid by the designation in 1966, under the National Parks and Access to the Countryside Act 1949, of the Cotswolds Area of Outstanding Natural Beauty (AONB).
- 7.14 In December 1990 the Secretary of State for the Environment formally altered the AONB boundary to that shown on the Proposals Map. The AONB within the Borough is now approximately 10.5 square kilometres, almost one third of the Borough area.
- 7.15 The Cotswolds AONB is the largest in Britain, covering nearly 2,046 square kilometres of internationally recognised landscape. Natural England considers:
- the primary purpose of designation should be to conserve natural beauty
  - in pursuing this objective, account should be taken of the needs of agriculture, forestry, other rural industries and the social and economic needs of local communities. Particular regard should be paid to promoting sustainable forms of social economic development which in themselves conserve and enhance the environment
  - whilst recreation is not an objective of designation, the demand for recreation should be met where it is consistent with the conservation of natural beauty and the needs of agriculture, forestry and other uses.
- 7.16 In January 2001 the Countryside and Rights of Way Act came into force. Part IV of the Act consolidated earlier legislation concerning designation of new AONBs and set out new provisions which:

- place a duty on all public bodies to have regard to the purposes of AONBs
- set out the process for creating and powers of Conservation Boards
- create statutory responsibility for Boards and local authorities to produce management plans.

### **Management of the AONB**

- 7.17 The management of the Cotswolds AONB is currently the responsibility of the Cotswolds Area of Outstanding Natural Beauty Conservation Board, which comprises 40 Board members; 15 nominated by the Secretary of State, 17 nominated by the local authorities and eight nominated by parish councils. The Board is supported by a small team of permanent staff.

### **Development affecting the AONB**

- 7.18 Because of its attractive character, which derives from its built form as well as the landscape of the scarp edge, and its location on the urban fringe, the AONB in the Borough is particularly sensitive to development pressures. A restrictive approach is therefore necessary to safeguard and enhance both of these elements.
- 7.19 In August 1991 the Countryside Commission (now Natural England) published a policy statement for AONBs. The statement expressed an urgent need for local plan policies to meet the aims of AONB designation. The Commission's objectives for planning in AONBs are as follows:
- development control policies should promote the conservation of those features that contribute to the special character of AONBs;
  - major development should be regarded as inconsistent with the aims of designation, except where it is proven that the development is in the national interest and no alternative site is available;
  - schemes for major roads and motorways should avoid AONBs whenever possible. Where a new road or motorway is unavoidable, the route and its design should be chosen to minimise damage to the environment;
  - applications for substantial mineral workings, or extensions to existing workings, in AONBs should be subject to the most rigorous assessment of the need for the minerals and the environmental effects of the proposal;
  - environmental assessment should accompany all proposals for major development in AONBs;
  - small-scale developments, where essential to meet local community needs and provided for in approved development plans, are normally acceptable in AONBs - such developments should be within, or immediately adjacent to, existing towns and villages, and should be in sympathy with the architecture and landscape character of the area;
  - farm buildings should be sited, designed and landscaped with particular care.
- 7.20 The Council confirms its support for these objectives. It considers it particularly important to protect the scarp as the dominant feature of Cheltenham's setting and is concerned at the cumulative effect of even small-scale development and of development in new locations within the AONB. The Public Local Inquiry Inspector took the view that the attractiveness of the scarp and its location on the urban fringe justify a restrictive policy. The Council, therefore, will not permit development which would harm the natural beauty of the landscape.
- 7.21 Development on sites outside but close to the AONB can also have an impact on its character. Such development should be designed and landscaped to avoid harming the natural beauty of the AONB. Special consideration should be given to the impact of proposals on the setting of the AONB and on views into or out of the area. See also policies CP 3 (sustainable environment) and CO 1 (landscape character).

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**POLICY CO 2**  
**DEVELOPMENT WITHIN OR AFFECTING THE AONB**

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Objectives O9 and O10

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**Development which would harm the natural beauty of the landscape within the AONB will not be permitted.**

**Major developments will not be permitted within the AONB except in exceptional circumstances (note 3).**

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Note 1

The boundary of the AONB within the Borough is shown on the Proposals Map.

Note 2

See also policies CP 3 (sustainable environment), CO 3 (rebuilding or replacement of buildings in the AONB), CO 4 (extension of buildings in the AONB), CO 12 (farm diversification projects), CO 13 (conversion of rural buildings), RC 11 (recreation and sport in the countryside) and RC 12 (golf courses).

Note 3

In assessing exceptional circumstances regard will be had to:

- (i) the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;
  - (ii) the cost of, and scope for, developing elsewhere outside the designated area, or meeting the need for it in some other way; and
  - (iii) any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.
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- 7.22 In assessing proposals for development, the Council will be guided by the advice of the Cotswolds AONB Conservation Board, who have recommended the following local planning policy guidelines for controlling and promoting sustainable development in the AONB:
- the conversion of redundant traditional farm buildings should seek to conserve and enhance natural beauty and landscape character and respect the entity of the building. Policies for conversions should not compromise nature conservation or agricultural interests.
  - agricultural buildings should be sited, designed and landscaped to blend with the countryside. Sport, recreation and tourism development should seek to promote the interpretation of the countryside through the quiet enjoyment of the beauty of the Cotswolds. They should also be in conformity with tourism management proposals for the area.
  - as the role of built form in the AONB is so important, control of development should pay special regard to the use of suitable materials, traditional design and siting to minimise impact on the landscape. It should promote appropriate density, location in appropriate settlements, and high quality landscaping.
  - archaeological, historic and scientific sites should be safeguarded and where appropriate made accessible to the public and interpreted.
- 7.23 Any revision of advice issued by the Cotswolds AONB Conservation Board will be adopted by the Council and used as guidance for development control purposes.
- 7.24 Within the AONB there are many existing buildings. In some cases, dwellings have been demolished and replaced by buildings of greater volume. An increase in volume can have a substantial impact on the natural beauty of the AONB. Because of the special character of the AONB within the Borough, the Council will resist any increase in the size of rebuilt or replaced dwellings to that permitted by the Town and Country Planning (General Permitted Development) Order 1995, and will not permit the enlargement, through rebuilding, of buildings in other uses. Any permissions granted will be subject to specific design criteria.

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**POLICY CO 3****REBUILDING OR REPLACEMENT OF BUILDINGS IN THE AONB**

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Objective O10

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The rebuilding or replacement of existing buildings in the AONB will only be permitted where:

- (a) in the case of dwellings, the volume of the original building is not exceeded by more than 10% or 50 cubic metres (whichever is the greater); or
  - (b) in all other cases, the original volume of the building is not exceeded; and
  - (c) in all cases, the siting, design, environmental impact and landscaping are consistent with the conservation of the natural beauty of the area.
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## Note 1

“Original” is as defined by the Town and Country Planning (General Permitted Development) Order 1995, and excludes subsequent extensions.

## Note 2

See policies CP 3 (sustainable environment) and CP 7 (design)

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- 7.25 Extensions to existing buildings will also require careful consideration and will be required to demonstrate conservation of the natural beauty of the landscape together with sensitive urban design.

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**POLICY CO 4****EXTENSION OF BUILDINGS IN THE AONB**

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Objective O10

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The extension of an existing building in the AONB will only be permitted where it is clearly subordinate in size to and consistent in character with the original building (note 1)

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## Note 1

“Original” is as defined by the Town and Country Planning (General Permitted Development) Order 1995, and excludes subsequent extensions.

## Note 2

See policies CP 3 (sustainable environment), CP 7 (design) and CO 2 (development within or affecting the AONB).

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**GREEN BELT****Designation and definition**

- 7.26 The concept of a ‘Green Belt’, as a means of checking the unrestricted sprawl of built-up areas and protecting the countryside, dates from 1955, when Circular 42/55 was published recommending local planning authorities to consider establishing areas of Green Belt. In Gloucestershire, a Green Belt between the two principal towns of Gloucester and Cheltenham was first put forward in 1957 and later formally approved as part of the County Development Plan Quinquennial Review in 1968. An extension to the Green Belt to the north of Cheltenham, to separate it from Bishop’s Cleeve, was proposed in the Gloucestershire Structure Plan (1981).
- 7.27 RPG 10, published in September 2001, indicates that the boundaries of Green Belts in the region should be critically reviewed to examine whether alterations are needed to allow for long term sustainable development needs. The draft Regional Spatial Strategy indicates that the detailed Green Belt boundaries of Cheltenham will be defined in Local Development Documents.

**Purposes**

- 7.28 PPG2 sets out five purposes of including land in Green Belts:
- to check the unrestricted sprawl of large built-up areas;
  - to prevent neighbouring towns from merging into one another;
  - to assist in safeguarding the countryside from encroachment;
  - to preserve the setting and special character of historic towns; and



- to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

- 7.29 Land designated as Green Belt has a positive role to play in fulfilling the following objectives:
- to provide opportunities for access to the open countryside for the urban population;
  - to provide opportunities for outdoor sport and outdoor recreation near urban areas;
  - to retain attractive landscapes, and enhance landscapes, near to where people live;
  - to improve damaged and derelict land around towns;
  - to secure nature conservation interest; and
  - to retain land for agricultural, forestry and related uses.

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## **POLICY CO 5**

### ***DEFINITION OF GREEN BELT***

Objectives O11, O13 and O14

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**The area of Green Belt is defined in the Proposals Map.**

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### **Development in the Green Belt**

- 7.30 PPG2 provides broad guidance on the policies to be followed in the control of development within Green Belts. PPG2 states:

*“The general policies controlling development in the countryside apply with equal force in Green Belts but there is, in addition, a general presumption against inappropriate development within them. Such development should not be approved, except in very special circumstances.”*

*“The construction of new buildings inside a Green Belt is inappropriate unless it is for the following purposes:*

- *agriculture and forestry (unless permitted development rights have been withdrawn);*
- *essential facilities for outdoor sport and outdoor recreation, for cemeteries, and for other uses of land which preserve the openness of the Green Belt and do not conflict with the purposes of including land in it;*
- *limited extension, alteration or replacement of existing dwellings;*
- *limited infilling in existing villages;*
- *limited infilling or redevelopment of major existing developed sites identified in adopted local plans, which meets the criteria in paragraph C3 or C4 of Annex C” (of PPG2).*

- 7.31 This guidance forms the broad policy basis for development control in the Green Belt.
- 7.32 Residential development already stretches into the Green Belt along certain roads. The Cheltenham Environs Local Plan contained a policy allowing limited infilling on existing road frontages of The Reddings. In accordance with PPG2, the First Alteration of this Plan extended the policy to Shaw Green Lane and Bowbridge Lane, subject to careful qualification. Such infilling will only be permitted where it does not detract from the character or objectives of the Green Belt.
- 7.33 The visual amenities of the Green Belt should not be impaired by development proposals within or conspicuous from the Green Belt, which, although not prejudicing the main purposes of designation, might be inappropriate by virtue of siting, materials or design.
- 7.34 The following policies will apply to development proposals in the Green Belt.

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**POLICY CO 6**  
**DEVELOPMENT IN THE GREEN BELT**

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Objectives O11, O12, O13 and O14

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**Within the Green Belt, except in very special circumstances, there will be a presumption against the construction of new buildings for purposes other than:**

- (a) agriculture and forestry (note 1); or**
- (b) essential facilities for outdoor sport and outdoor recreation, for cemeteries, or for other uses of land which preserve the openness of the Green Belt and which do not conflict with the purposes of including land in it; or**
- (c) limited rebuilding, replacement, or extension of existing dwellings, subject to policies CO 7 and CO 8; or**
- (d) limited residential infilling (note 3) in within existing and previously undeveloped gaps in built up frontages along The Reddings, Shaw Green Lane and Bowbridge Lane, if there is no adverse impact on the openness of the Green Belt (note 4).**
- (e) development in accordance with policy CO 8 (note 5).**

**Engineering or other operations or any material change of use will not be permitted unless they maintain the openness of the Green Belt and do not conflict with the purposes of including land in it.**

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Note 1

Unless permitted development rights have been withdrawn - see also policy CO 13 (conversion of rural buildings).

Note 2

See also policies RC 11 (recreation and sport in the countryside) and RC 12 (golf courses).

Note 3

In this context, "infilling" means the construction of a new building or buildings between two existing buildings.

Note 4

This precludes the demolition of existing housing and its replacement by a greater number of dwellings. Any replacement would be assessed in relation to policy CO 7 (rebuilding or replacement of dwellings in the Green Belt), with consequent restrictions on size and siting.

Note 5

CO 9 (development at Cheltenham Racecourse).

Note 6

Where planning permission is granted for the development of a building in the Green belt, the Council may seek to impose a condition requiring removal of the building upon cessation of the original use.

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- 7.35 PPG2 states that the replacement of dwellings in the Green Belt need not be inappropriate provided that the new dwelling is not materially larger than the one it replaces. Policy CO 7 sets out criteria to meet this advice and to ensure that the openness and visual amenity of the Green Belt are not harmed and that it is safeguarded from encroachment.

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**POLICY CO 7**  
**REBUILDING OR REPLACEMENT OF DWELLINGS IN THE GREEN BELT**

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Objectives O11, O12, O13 and O14

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**The rebuilding or replacement of existing dwellings in the Green Belt will only be permitted where:**

- (a) the number of replacement dwellings is no greater than the number to be demolished; and**
- (b) the volume of the original building is not exceeded by more than 15% or 70 cubic metres (whichever is the greater); and**
- (c) there is no harm to the openness and visual amenity of, or encroachment upon, the Green Belt (note 3).**

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Note 1

“Original” is as defined by the Town and Country Planning (General Permitted Development) Order 1995, and excludes subsequent extensions.

Note 2

The change of use of dwellings in the Green Belt to other uses will be subject to policy CO 13 (conversion of rural buildings).

Note 3

This may mean that development should be limited to the footprint of the original building.

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- 7.36 PPG2 recognises that extensions to existing dwellings are not inappropriate in Green Belts, provided they are not disproportionate in size to the original building, and do not conflict with the general objective of maintaining the openness of the Green Belt.

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**POLICY CO 8**

***EXTENSION OF DWELLINGS IN THE GREEN BELT***

Objectives O11, O12, O13 and O14

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**The extension of an existing dwelling in the Green Belt will only be permitted where it:**

- (a) is clearly subordinate in size to and consistent in character with the original building; and**  
**(b) does not detract from the openness of the Green Belt.**
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Note

“Original” is as defined by the Town and Country Planning (General Permitted Development) Order 1995, and excludes subsequent extensions.

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- 7.37 Prestbury Park Racecourse is the principal venue in the country for National Hunt racing and lies within the Green Belt in the northern part of the Borough. The racecourse management continually strives to improve facilities for race-goers, often through redevelopment or the construction of new buildings. Proposals of this nature will need to be assessed in relation to the national significance of the venue as well as Green Belt policy.
- 7.38 Because of the racecourse's location in the Green Belt, new development will need to be principally horse racing related, although this would not necessarily preclude its use for other activities where these are compatible with policy CO 6 (development in the Green Belt).
- 7.39 Development that extends beyond the confines of existing built development will not be permitted. Outdoor activities will be limited to those which do not create traffic or environmental problems. In order to assess the impact upon the surrounding area of open air activities and other forms of recreation, which require planning permission, the Council may wish to give temporary permission in the first instance.

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**POLICY CO 9**

***DEVELOPMENT AT CHELTENHAM RACECOURSE***

Objectives O13 and O14

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**Development at Cheltenham Racecourse, including extensions, will only be permitted where it:**

- (a) is principally horse racing related; and**  
**(b) does not extend beyond the confines of the built up area (note 1).**
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Note 1

The confines of the existing built up area is shown on plan 2.

Note 2

See also policies CO 6 (development in the Green Belt), CP 3 (sustainable environment) and CP 5 (sustainable transport).

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## UNALLOCATED LAND AT LECKHAMPTON

- 7.40 Land at Leckhampton has been the subject of development pressure for a number of years. The Inspector considering objections into the Second Review of Cheltenham Borough Local Plan concluded that, "development of the objection site would materially harm the rural character and appearance of the area, and the important contribution that this makes to the landscape within the site and when seen from the AONB."
- 7.41 The Council supports the Inspector's conclusions and considers that the intrinsic value of the land should be protected as a resource for its recreational, landscape, wildlife and archaeological interest. Any proposals for development within this area will be considered against policies CO 1 (landscape character) and CP3 (sustainable environment).
- 7.42 In the consideration of growth, land at Leckhampton together with all potential development sites across the Borough will be reassessed within the context of the Regional Spatial Strategy for the South West to inform Cheltenham's emerging Local Development Framework. This will require cross boundary working with Tewkesbury Borough Council and relevant communities.

## AGRICULTURE

- 7.43 Agricultural land in the Borough is very limited and is not of national significance. Land to the north, west and south west of Cheltenham varies in quality between grades 2 and 3C (Department of Environment, Food and Rural Affairs (DEFRA) Agricultural Land Classification). To the east, the Cotswold escarpment is of poor quality Grade 4, and is limited in its agricultural usage due to topography and poor soil conditions.
- 7.44 The Structure Plan (policy NHE.3) safeguards the best and most versatile land from development. Land of a higher agricultural quality should not be used if land of a lower quality is available.

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### POLICY CO 10

#### AGRICULTURAL LAND

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##### Objective O15

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**The best and most versatile agricultural land (note 1) and economically viable farms will be protected from development other than that essential for the operation of the farm, except where:**

- (a) development is necessary to meet Structure Plan requirements; and**  
**(b) the location accords best with sustainable development policy (note 2).**
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##### Note 1

The best and most versatile agricultural land comprises DEFRA grades 1, 2 and 3A.

##### Note 2

See policy CP 1 (sustainable development).

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### Agricultural development

- 7.45 The Town and Country Planning (General Permitted Development) Order 1995, as amended, grants permission for a wide range of development associated with agricultural uses of land on units of 5 ha or more. In certain cases, permission cannot be exercised unless the developer has applied for a determination from the Council as to whether approval will be required for specified details.
- 7.46 In making such a determination, the Council will take account of the effect of the development on the landscape and character of the area, archaeological features, listed buildings and wildlife, as well as the agricultural need of the farm. In the case of new agricultural buildings, the Council will also continue its policy of taking into account likely problems of noise, smell, effluent disposal and effect on the highways, in view of the proximity of the countryside to the urban area.
- 7.47 The Order also grants permission for limited types of development on agricultural units of 0.5 - 5 ha. These types of development are not subject to the determination procedure.

### **Agricultural and forestry dwellings**

- 7.48 PPS7 sets out guidelines for the determination of applications for accommodation for farm and forestry workers. Where appropriate, in following these guidelines, the Council will consult DEFRA concerning the need and justification for the development.

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#### **POLICY CO 11**

#### **AGRICULTURAL AND FORESTRY DWELLINGS**

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Objectives O9 and O13

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**Permission for new agricultural or forestry dwellings will be granted only where:**

- (a) a justified need to provide accommodation to enable farm or forestry workers to live near or at their place of work has been demonstrated; and**
- (b) the dwelling is of a size commensurate with, and suitably located to meet, the identified functional need and is well related to other farm buildings or other dwellings.**

**The Borough Council will limit by condition the occupation of that accommodation to a person solely or mainly working or last working in agriculture or in forestry, or a widow or widower of such a person, and to any resident dependants.**

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### **Farm diversification and set-aside schemes**

- 7.49 Increasingly the livelihoods of farmers are threatened by the slender profit margins that farming can offer. The survival of some farms is now dependent upon a diversification in the use of land. In due course ancillary farm uses, fishponds, equestrian activities, cafes and other forms of farm diversification may lead to an increase in the number of conversions of under-used or redundant farm buildings. The Borough Council will support well-conceived farm diversification projects for business purposes that are consistent in scale with their rural location.
- 7.50 DEFRA provides different rates of grant for land 'set aside' from agriculture according to the new use to which the land is put; such as permanent fallow, woodland, or non-agricultural uses, such as golf courses. In the long term, depending on the alternative uses adopted, the character of the traditional farm landscape may change; this is of particular concern in the AONB where the landscape is characterised by a combination of natural landscape features, and man-made structures such as stone walls and barns. New uses for agricultural land should be avoided where they threaten to alter historic field patterns.
- 7.51 Farm diversification and set aside may provide an opportunity to enhance the setting of Cheltenham, protect the countryside and reconcile the conflicting needs of the various users of the countryside. The Council wishes to maintain close links with DEFRA to ensure that those objectives are being pursued, especially within the AONB.

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#### **POLICY CO 12**

#### **FARM DIVERSIFICATION PROJECTS**

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Objective O13

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**Farm diversification projects will only be permitted where:**

- (a) new buildings are not proposed where suitable existing buildings are available; and**
  - (b) landscaping and screening is provided, where necessary and appropriate, to minimise the visual impact of a diversification proposal, and to reinforce the natural landscape of the locality; and**
  - (c) their scale is consistent with their rural location.**
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Note 1

See also policies CP 1 (sustainable development), CP 3 (sustainable environment), CP 5 (sustainable transport) and CP 7 (design).

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## **THE RE-USE AND ADAPTATION OF RURAL BUILDINGS**

7.52 Recent years have witnessed rapid changes taking place in the agricultural industry, with farm rationalisation and diversification schemes. These and other changes have contributed to a steady increase in the number of rural buildings becoming surplus to original requirements.

PPS7 supports the re-use of rural buildings where these would meet sustainable development objectives; alternative land uses should take account of;

- The potential impact on the countryside and landscapes and wildlife;
- Specific local economic and social needs and opportunities;
- Settlement patterns and accessibility to service centres, markets and housing;
- The suitability of different types of buildings, and of different scales, and
- The need to preserve, or the desirability of preserving buildings of historic or architectural importance or interest, or which otherwise contribute to local character.

7.53 Most rural buildings in Cheltenham Borough are within the Green Belt or AONB, and their re-use and conversion requires special consideration. In determining planning applications, the Council will therefore take into account the effect of the conversion on the natural beauty and landscape character of the adjoining countryside, the architectural and historic features of the building, and wildlife.

7.54 Conversion to residential use may result in the greatest change both to the fabric of the building and its appearance within the landscape and other uses may be more suitable than housing. In particular, uses related to the countryside, tourism, commercial, or community uses may be appropriate. Workshops, meeting halls, sporting activities and tourist accommodation that offer environmental interpretation may be more compatible with the historic fabric.

7.55 Where it is proposed to convert listed farm buildings, there will be a presumption in favour of safeguarding both the external and internal features of the building. For this reason, residential conversions will generally be considered unacceptable. The types of features which should be preserved are:

- the original fabric of the walls, and roof structure;
- an exterior appearance characterised by extensive blank walls and roofs with unbroken lines and few openings;
- unpartitioned interiors, with the structural elements exposed;
- the agricultural setting as part of a group of farm buildings without a separate boundary.

See also policies CP 3 (sustainable environment) and BE 9 (alteration of listed buildings).

7.56 Where permission is granted for the use of agricultural buildings for non-agricultural purposes, a condition or section 106 planning obligation withdrawing permitted development rights for new farm buildings in respect of that particular agricultural unit or holding may be applied or sought.

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### **POLICY CO 13**

#### ***CONVERSION OF RURAL BUILDINGS***

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##### **Objective O13**

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**The conversion of rural buildings to uses other than agriculture will only be permitted where:**

- (a) the building is not a temporary structure; and**
- (b) the building is appropriately located and suitably constructed and otherwise is suitable for conversion without substantial demolition, rebuilding or extension;**
- (c) the conversion and alternative use are appropriate to the character and location of the building (note 2); and**
- (e) the provision of infrastructure or services does not place unacceptable costs on public expenditure. Re-use for economic development purposes will be preferred.**

**Where permission is granted for the use of agricultural buildings for non-agricultural purposes, the Borough Council may wish to apply a condition or seek a section 106 planning obligation withdrawing permitted development rights for new farm buildings in respect of that particular unit or holding.**

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Note 1

See policies CP3 (sustainable environment), CP 4 (safe and sustainable living) and CP 7 (design).

Note 2

See policies CO 2 (development within or affecting the AONB), CO 3 (rebuilding or replacement of buildings in the AONB), CO 4 (extension of buildings in the AONB), CO 6 (development in the Green Belt), CO 7 (rebuilding or replacement of buildings in the Green Belt), CO 8 (extension of dwellings in the Green Belt), CP 3 (sustainable environment) and CP 5 (sustainable transport).

Note 3

A structural survey of the building will be required.

Note 4

In determining whether to apply a condition or to seek a Section 106 planning obligation withdrawing permitted development rights (in accordance with PPS7) when granting planning permission for a change of use of a building from agricultural to non-agricultural purposes, the Council will have regard to the possible effects of a proliferation of farm buildings on (i) the natural beauty of the landscape in the Cotswolds AONB, or (ii) the visual amenities and open character of the Green Belt, depending upon the location of the holding in respect of which the application is made. The Council will also take account of guidance in Circular 05/05, (that conditions restricting permitted development should only be used in exceptional circumstances, should be as specific as possible, and should not be more onerous than can be justified), and in paragraph B5 (that planning obligations must be reasonable in relationship and scale to the proposed development).

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## THE URBAN FRINGE

- 7.57 Edges of towns can experience problems of fly-tipping, trespass and vandalism, but are a valuable resource for informal recreation and act as a buffer between the town and country.

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## POLICY CO 14

### DEVELOPMENT ABUTTING THE COUNTRYSIDE

Objectives O9 and O13

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**Landscaping appropriate to its setting will be required for development abutting the countryside.**

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#### Recreation

- 7.58 For policies relating to recreation in the countryside, refer to Chapter 12, Culture and Recreation, and specifically policies RC 11 and RC 12.

#### Touring caravans

- 7.59 There are limited touring or transit caravan sites or camping sites in the Borough. A site with 71 pitches managed by the Caravan Club is available at Cheltenham Racecourse during the summer. Two licensed sites are available, and at Stansby House in The Reddings, and Briarsfield, Gloucester Road accommodating up to 126 touring caravans and tent pitches. Proposals for further sites will be judged on their merits, having regard both to identified demand and to such factors as Green Belt and Area of Outstanding Natural Beauty designations.

## TREES, HEDGEROWS AND WOODLAND WITHIN THE COUNTRYSIDE

- 7.60 Individual trees, hedgerows, coppices and larger areas of woodland are important features in the countryside, providing scenic value, protecting the landscape from erosion, and acting as windbreaks, field boundaries and wildlife habitats. Woodlands can also be important for their timber value, provision of employment, as an alternative to agricultural production, and for their contribution to improving air quality. However, trees and woodland can become invasive and certain species can have an undesirable impact on character, flora and habitats in some areas.
- 7.61 The Council will use any available legislative measures to protect appropriate and native trees, woodland and hedgerows see policies GE 5 (protection and replacement of trees), GE 6 (trees and development) and GE 7 (accommodation and protection of natural features). Although Tree Preservation Orders are a useful means of protecting trees and woods from damage and loss, they may

need to be accompanied by agreements to ensure proper management, especially in mature woodlands.

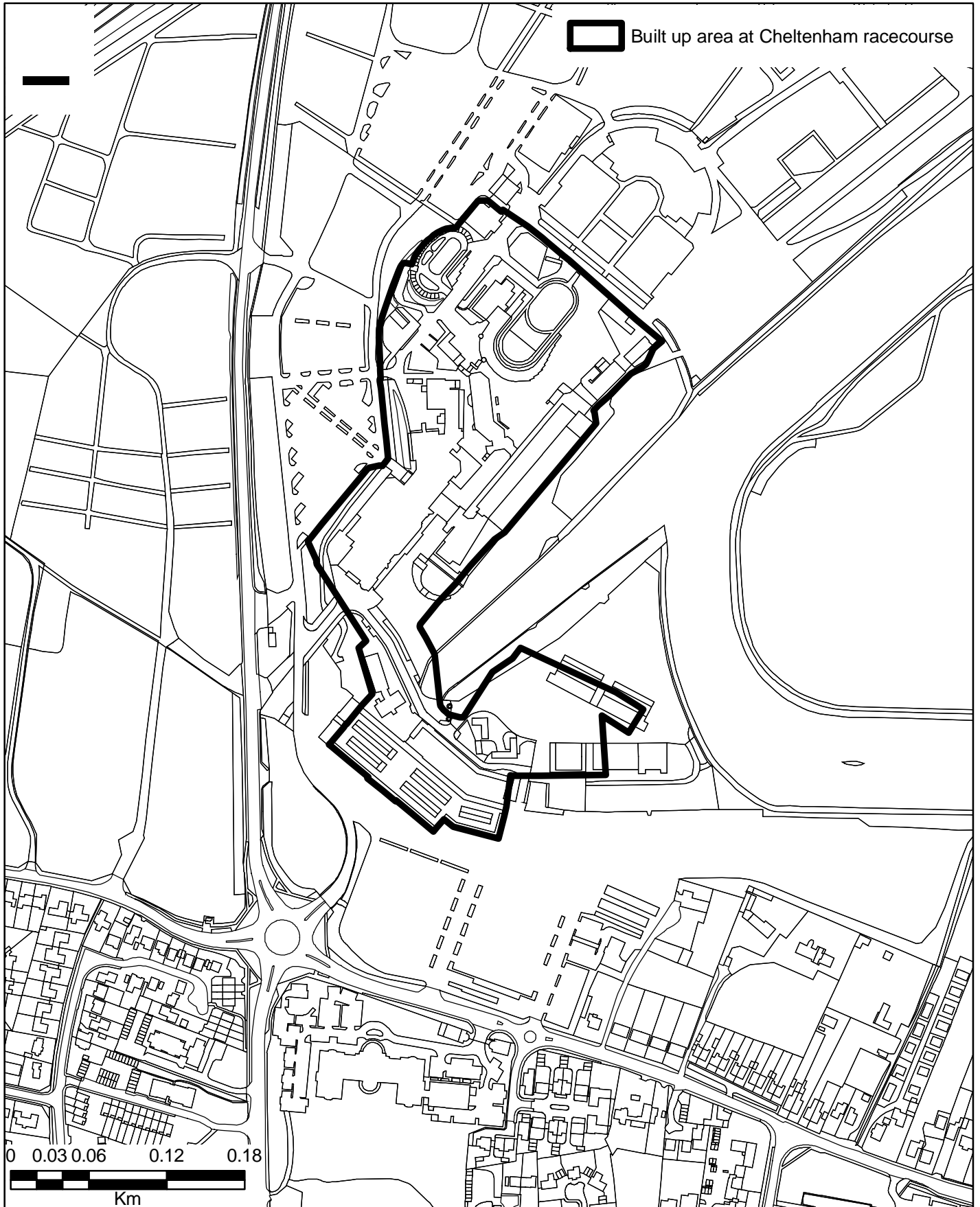
- 7.62 Section 96 of the Countryside and Rights of Way Act 2004 provides for statutory management agreements to be drawn up with landowners to conserve and enhance the natural beauty of the countryside within a Council's area. Such agreements are valuable tools in securing management outside the scope of planning control. Reinstating traditional coppicing, promoting natural regeneration or replacing alien invasive trees with locally native trees and shrubs, or even a management programme for an individual tree might all feature in such agreements. They can also be used to meet general nature conservation objectives; protecting wildlife habitats and geological features. The Woodland Grant Scheme, operated by the Forestry Commission, offers an appropriate agreement with landowners and provides grants for the planting, management and protection of all types of woodland. The Forestry Commission's Woodland Officers and the Council's arboriculturalist will advise on suitable management arrangements, as appropriate.
- 7.63 The Borough Council will seek to conserve and enhance the natural features of the countryside through the use of statutory management agreements where necessary.
- 7.64 Both the Forestry Authority and DEFRA aim to encourage new woodland planting as a form of farm diversification. The Forestry Authority's Woodland Grant Scheme (WGS) provides grants for establishing new woodland, including a 'better land' supplement. The Farm Woodland Premium Scheme operated by DEFRA provides annual payments for converting agricultural land to woodland, provided the new woodland first attracts an establishment grant under the WGS.

#### **Trees in the AONB**

- 7.65 In the AONB open limestone grassland is important to the character of the landscape. It can be vulnerable to encroaching scrub and woodland, particularly in the Leckhampton Hill and Charlton Kings Common SSSI. To preserve this critical element of character and scientific interest, some control may be necessary, including the periodic clearance of scrub and woodland.
- 7.66 In conjunction with the Forestry Authority, the AONB Conservation Board have published 'Guidelines for New Woodland Planting in the AONB', and are keen to encourage careful planting of indigenous species to enhance AONB landscape features.



# PLAN 2: BUILT UP AREA AT CHELTENHAM RACECOURSE



# 8 : NATURAL ENVIRONMENT

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## INTRODUCTION

- 8.1 Although perceived as being essentially a man made environment, the town of Cheltenham contains many habitats that harbour wildlife. Ponds, railway cuttings, hedges and verges, small copses, parks, cemeteries, school playing fields, allotments and even old buildings, all host a number of species ranging from larger mammals like foxes and badgers to wild flowers and butterflies.
- 8.2 The rural areas of the Borough also contain some very significant habitats; the limestone grassland flora of Leckhampton Hill, which is rich in plant and insect species, and the ancient woodlands of the Cotswold escarpment being the most prominent features. Most areas of natural vegetation in the countryside support a great diversity of wildlife.
- 8.3 Like all undeveloped areas, wildlife habitats are under threat from development and agricultural pressures; even a minor environmental change not requiring planning permission may radically alter the ecological balance and lead to the loss of valuable species. At the same time, wildlife areas need to be managed to ensure that certain invasive species do not destroy more sensitive flora and fauna; sycamores and gorse can rapidly overrun a habitat, which contains a number of valuable species, and destroy the ecosystem's ability to support a diversity of wildlife.
- 8.4 Part 3 of the Countryside and Rights of Way Act 2000 gives greater protection to wildlife and natural features by making provision for the conservation of biological diversity, and by improving protection for Sites of Special Scientific Interest (SSSIs) in England and Wales and the enforcement of wildlife legislation.

## STRUCTURE PLAN

- 8.5 The Structure Plan recognises the need to protect and conserve wildlife and habitats. Policy NHE.2 sets out the importance of protecting sites from development that would have a significant effect on their nature conservation and biodiversity interests. This policy takes into account all sites with conservation interest, including international, national, and local sites; and individual features such as a pond or an area of woodland.

## LOCAL PLAN APPROACH

- 8.6 The Local Plan contains a strong commitment to safeguarding sites of nature conservation importance, both statutory and non-statutory, and legally protected species from those factors it is able to control. It also encourages not just the conservation but also the management of wildlife areas through a programme of designating Local Nature Reserves and by promoting the use of management agreements with countryside organisations and landowners.

## BIODIVERSITY

- 8.7 Biodiversity is a term used to define the wide number of species of plants and animals. The conservation and enhancement of biodiversity is an essential element of sustainable development, contributing to the well being of communities and to the quality of the environment.
- 8.8 In 1994, the Government illustrated its commitment to protecting and enhancing biodiversity by publishing '*Biodiversity: The UK Action Plan*'. This plan set out a broad strategy for the conservation and enhancement of wild species and their habitats. In March 2000, '*Gloucestershire Biodiversity Action Plan*' was published. This plan considered how the biodiversity of Gloucestershire could be protected, taking into account national and local priorities.
- 8.9 Appropriate planting can attract wildlife to an area, the selective removal of invasive species can ensure the survival of more fragile features, and the provision of specific facilities such as badger tunnels, nesting boxes and decaying tree trunks can all enhance the ecology of an area. Policy CP 3 (sustainable environment) seeks to safeguard biodiversity and promote the conditions within development to support wildlife and create habitats.

- 8.10 The Borough Council will prepare a biodiversity audit that will form an important component of the Council's land use and environmental policies and actions, and link closely with the Gloucestershire Biodiversity Action Plan.

## **STATUTORY DESIGNATIONS**

- 8.11 The National Parks and Access to the Countryside Act 1949, the Countryside and Rights Of Way (CROW) Act 2000 and the Local Government Act 1972 establish statutory designations for the management of areas of nature conservation interest, two of which are of relevance to Cheltenham - SSSIs and Local Nature Reserves. PPS9 (Nature Conservation) requires local planning authorities to distinguish between national, regional, and local nature conservation interests. Within this framework there is scope for the co-ordination of local biodiversity action plans within the emerging Community Plan.

## **FEATURES OF NATIONAL IMPORTANCE**

### **Sites of Special Scientific Interest**

- 8.12 SSSIs are designated by Natural England because of their flora, fauna, geological or physiographical features, and are regarded by PPS9 as being of national importance. There is one such site within the Borough at Charlton Kings Common and Leckhampton Hill (see plan 3). Natural England must be consulted over any planning applications for development within or which may indirectly affect the SSSI. The Council, as landowner, is committed to the protection of this area and will give priority in its management to nature conservation interests. This is specifically addressed within the management plan for Leckhampton Hill and Charlton Kings Common.

### **Legally protected species**

- 8.13 The CROW Act 2000 and the Conservation (Natural Habitats &c.) Regulations 1994 legally protect certain species and their habitats. Other species are protected under their own legislation, for example the protection of Badgers Act 1992. Of relevance to Cheltenham are the habitats of the barn owl, badger and bat. This list is not exhaustive and other habitats may be relevant.
- 8.14 It is recognised that many legally protected species may be found outside designated sites and consequently require special attention wherever they exist. Where protected species are known or suspected to exist the applicant will be expected to supply information detailing how the development will affect the protected species and what measures will be undertaken to mitigate the impact of the development on the species.
- 8.15 The presence of a protected species is a material consideration in the determination of a planning application. Where protected species are known or suspected to exist, applicants will be required, at the time of the application, to provide appropriate survey/mitigation information to determine the likely effect. The Borough Council will seek the advice of Natural England and Gloucestershire Wildlife Trust (GWT) to determine whether the requirements of legally protected species and their habitat have been adequately taken into account.
- 8.16 Planning permission should not be refused if measures can be put in place to prevent the adverse impacts on the habitats of legally protected species through the use of planning conditions.

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## **POLICY NE 1**

### ***HABITATS OF LEGALLY PROTECTED SPECIES***

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#### **Objective O18**

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Development which would materially harm, either directly or indirectly, a site supporting any legally protected species will not be permitted unless safeguarding measures can be provided through conditions or planning obligations to secure its protection.

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**POLICY NE 2**  
**DESIGNATED NATURE CONSERVATION SITES**

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Objectives O12 and O18

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Development which would harm, either directly or indirectly, a designated nature conservation site will not be permitted, unless:

- (a) safeguarding measures can be provided through conditions or planning obligations to secure its protection; or
  - (b) other material factors exist to override nature conservation considerations.
- 

**Note 1**

When considering harm to a designated nature conservation site, it will be necessary to take into account all biodiversity and/or geodiversity aspects of the site.

**Note 2**

The advice of Natural England, Gloucestershire Wildlife Trust and Gloucestershire Geoconservation will be sought on relevant applications.

**Note 3**

An environmental impact assessment will be required for all proposals for development (see Supplementary Planning Guidance on *Submission of Planning Applications* and appendix 4).

**Note 4**

See Biodiversity Action Plan for the UK (1994), Gloucestershire Biodiversity Action Plan (2000) and policy CP 3 (sustainable environment).

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## **FEATURES OF LOCAL INTEREST**

### **Regionally Important Geological /Geomorphological Sites (RIGS)**

- 8.17 In 1990 the RIGS programme was established following the need to record and conserve important geological/geomorphological sites. RIGS in Gloucestershire are identified and researched by Gloucestershire Geoconservation.
- 8.18 RIGS sites have limited legal status, but are treated in much the same way as Key Wildlife Sites, and are considered important for their aesthetic, cultural, amenity, historical and wildlife value, and opportunities for education and research. There are two RIGS in Cheltenham Borough, at Little Herberts Railway Cutting and Charlton Kings Common.
- 8.19 The Borough Council will support the work of Gloucestershire Geoconservation in the designation and management of RIGS sites within the Borough.

### **Key Wildlife Sites**

- 8.20 GWT has compiled a schedule of 700 key wildlife sites. These sites are designated for their nature conservation value, which is of countywide significance. Cheltenham Borough contains six of these.
- 8.21 Such sites are considered to contain features of countywide importance, either through their rarity or the fact that they are typical to Gloucestershire and seldom found elsewhere.
- 8.22 Key wildlife sites in Cheltenham Borough are:
  - Gloucestershire Wildlife Trust Reserve at the Kingham Line
  - Ravensgate Hill (Wistley Hill) - consisting of steep unimproved limestone grassland and scree.
  - 5.5 ha of ancient woodland at Timbercombe.
  - 3.6 ha of species rich ridge and furrow meadow at Ashgrove Farm.
  - 5 ha of ancient woodland at Glenfall Wood
  - unimproved grassland at Fiddlers Green Lane.

### **Local Nature Reserves**

- 8.23 Local Nature Reserves (LNR) are designated and managed by local authorities. They are places with wildlife or geological features that are of special interest locally which provide opportunities for study in

natural surroundings. Any site may qualify for LNR designation, providing that it is capable of being managed by the local authority, i.e. is in their ownership, leased from the landowner or managed under agreement. Prior to declaration, Natural England must be consulted and can offer discretionary grant-aid and expert advice. Local interest groups such as the GWT should also be brought into the designation process.

- 8.24 The Borough Council will, in conjunction with Natural England and local interest groups, identify, designate and manage local nature reserves, including:
- (a) land at Griffiths Avenue (designated);
  - (b) parts of the Kingham Line at Little Herberts Road and Pilley Bridge (proposed);
  - (c) that part of Leckhampton Hill / Charlton Kings Common which is within the Borough and Daisy Bank Fields (proposed);
  - (d) The Honeybourne Line (proposed);
  - (e) Weavers Field, Warden Hill (proposed);
  - (f) Wasley Brake, Milton Road (proposed)

### **Non-statutory nature reserves**

- 8.25 Important wildlife areas, which are not necessarily capable of being managed by local authorities, can also be largely safeguarded from future development. Local authorities can designate non-statutory nature reserves with the agreement of the land owners as evidence of their intent to maintain the wildlife importance of the area, particularly in urban areas, where small, undeveloped plots of land or large gardens provide a haven for wildlife and are often more accessible to the people who live in these areas than is much of the countryside. Part of the Kingham line is currently managed by GWT as a non-statutory nature reserve. A further site has been designated at Lawrence Close, Charlton Kings. Provided there is sufficient local interest, non-statutory designation can ensure protection of sites at minimal cost to the Council (see appendix 5). The Borough Council will, in conjunction with local interest groups, identify and designate non-statutory nature reserves with the agreement of landowners.
- 8.26 In addition to designating land as non-statutory nature reserves the Borough Council may also apply for Green Flag and Green Pennant recognition. These schemes recognise the importance of accessible green spaces and green heritage managed for recreation and nature conservation purposes.
- 8.27 The following policy is applied to protect Key Wildlife Sites and other areas of local nature conservation and geodiversity interest.

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## **POLICY NE 3**

### ***BIODIVERSITY AND GEODIVERSITY OF LOCAL IMPORTANCE***

Objectives O12 and O18

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**Development which would harm, either directly or indirectly, a habitat, species or geological site of local importance (note 1) will only be permitted where:**

- (a) the features of interest can be maintained within the development; or**
- (b) suitable measures (note 2) of mitigation or compensation can be provided.**

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Note 1

'Local importance' includes statutory and non-statutory local nature reserves, Key Wildlife Sites, and Regionally Important Geological/Geomorphological sites (see Proposals Map and appendix 5).

Note 2

Measures would be secured by inclusion within the development proposal by condition or planning obligation.

Note 3

The Borough Council will seek the advice of Natural England, Gloucestershire Wildlife Trust, and Gloucestershire Geoconservation.

Note 4

An environmental impact assessment will be required in conjunction with all proposals for development (see Supplementary Planning Guidance on *Submission of Planning Applications* and appendix 4).

## Note 5

See the Biodiversity Action Plan for the UK (1994), the Gloucestershire Biodiversity Action Plan (2000), Cotswolds AONB Management Plan (2004) and policy CP 3 (sustainable environment).

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### **OTHER HABITATS**

- 8.28 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.
- 8.29 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.
- 8.30 The Borough Council, through its Nature Conservation Strategy, will seek to protect species listed in the UK and Gloucestershire Biodiversity Action Plan from development that would have an adverse effect on their habitat.
- 8.31 Supplementary Planning Guidance on *Submission of Planning Applications* provides for a survey of such features to be submitted with planning applications, where appropriate, together with measures to safeguard them during the construction process.
- 8.32 In some instances, there may be irreconcilable conflict between the development proposal and the protection of those natural features identified as suitable for retention. In such cases the Council will weigh the relative merits of the development proposal and the value and nature of the natural feature or habitat under threat before determining the planning application. In such cases, the Council may seek advice from Natural England, the Gloucestershire Wildlife Trust, or other professional bodies the Council considers appropriate.

### **Watercourses**

- 8.33 Watercourses and their floodplains are important resources, which offer conservation, amenity and recreational value.
- 8.34 The Environment Act 1995 established the Environment Agency. The key objective of this organisation is the protection, enhancement and management of the environment within the principles of sustainable development. One of the functions of the Environment Agency is to promote the conservation and enhancement of the natural beauty and amenity of water, and the conservation of landscape, flora, fauna and geological features which are dependent on the aquatic environment. The Environment Agency also has duties to promote recreation and to prevent pollution of the water-based environment.
- 8.35 The Borough Council will assist the Environment Agency in meeting its conservation objectives and, under the remit of policies CP 1 (sustainable development) and CP 3 (sustainable environment), will consider the impact of development upon the ecology and wildlife potential of the water based environment.
- 8.36 It will also seek to promote and enhance the natural water system in the Borough by:
- conserving existing areas of value within river corridors;
  - identifying watercourses where opportunities exist for restoration and enhancement, for the purposes of conservation and amenity, and where appropriate, recreation;
  - encouraging developers to fully integrate watercourses into their developments;
  - encouraging developers to apply sustainable urban drainage principles when designing land drainage systems.

## ENVIRONMENTAL PROTECTION

### CLIMATE CHANGE

- 8.37 Climate change is now widely regarded as the most pressing environmental problem confronting mankind at the outset of the 21<sup>st</sup> century. The Council has produced a climate change strategy for and has signed the Nottingham Declaration to confirm this commitment. The strategy includes an action plan of measures designed to both reduce the Council's and the community's emissions of greenhouse gases, and to help us to adapt to the impact of climate change. The strategy is based on the aspiration of making Cheltenham a carbon neutral area, where emissions are minimised and unavoidable ones are offset by measures to absorb the CO<sup>2</sup> generated.

### Contaminated land

- 8.38 Some land within the Borough is known to be contaminated by past industrial uses, including landfilling. Previous uses of potentially and known contaminated sites include gas works, railway depots and lines, fellmongers, metal works, and engineering works. A shortage of sites has brought forward some of this land for development. While this trend relieves the pressure on greenfield sites, there is an evident need to control the environmental consequences.
- 8.39 The Environmental Protection Act 1990 part 2 introduces a regulatory framework for contaminated land identification and remediation in England. In 2001, the Borough Council published a '*Strategy for Contaminated Land Inspection*'. This strategy makes a commitment to inspect the Borough and assess potentially contaminated sites by 2005. The overall objective of the strategy is to '*protect human health, protect aspects of the environment and bring polluted land back into beneficial use*'.
- 8.40 The Environmental Protection Act states that contaminated land can be a material planning consideration. It defines contaminated land as:
- "any land which appears to the local authority in whose area it is situated to be in such a condition, by reason of substances in, on or under the land, that*
- (a) significant harm is being caused or there is a significant possibility of such harm being caused; or*
- (b) pollution of controlled waters is being, or is likely to be, caused."*
- 8.41 The Council will collect and maintain information on sites within the Borough, which have been identified as contaminated, and will encourage their rehabilitation. Where a site is designated as contaminated land (within the definition of the 1990 Act) the Council will secure remediation through regulatory action.
- 8.42 PPS23 - Planning and Pollution Control, 2004, sets out how planning authorities should adopt a 'suitable for use' approach to the re-use of contaminated land. The objectives of this approach are:
- to identify and remove unacceptable risks to human health and the environment;
  - to seek to bring damaged land back into beneficial use; and
  - to seek to ensure that the cost burdens faced by individuals, companies and society as a whole are proportionate, manageable and economically sustainable
- 8.43 The Council will also seek to ensure that the development of contaminated land does not give rise to future environmental or public safety problems; in particular, to human health and the environment, and that it does not cause or increase pollution of the water environment. In this context, the advice of the Environment Agency will be sought. In such cases, it will be necessary for the developer to undertake a site investigation survey to identify the scale of the problem and to formulate protective measures.
- 8.44 The Town and Country Planning (General Development Procedure) Order 1995 requires the Council to consult the Environment Agency as Waste Regulation Authority before granting planning permission for development within 250 metres of land which is, or has been at any time in the previous 30 years, used for the deposit of refuse or waste, as notified to the Council by the Environment Agency.

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**POLICY NE 4**  
**CONTAMINATED LAND**

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**Objective O16**

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**Development will only be permitted on a site subject to contamination where the site is remediated, either before development or as part of the development, to a level suitable for the intended use.**

**Note 1**

A desktop study will be required on sites where contamination is suspected. Assessment should identify historical uses, and all contaminants that may be present

**Note 2**

A site investigation will be required on sites where contamination is known to exist.

**Note 3**

The Borough Council has prepared a guidance note for developers, agents and consultants: "Development of potentially contaminated land".

**Note 4**

The Borough Council's Contaminated Land Officer will advise developers on the appropriate level of inspection required.

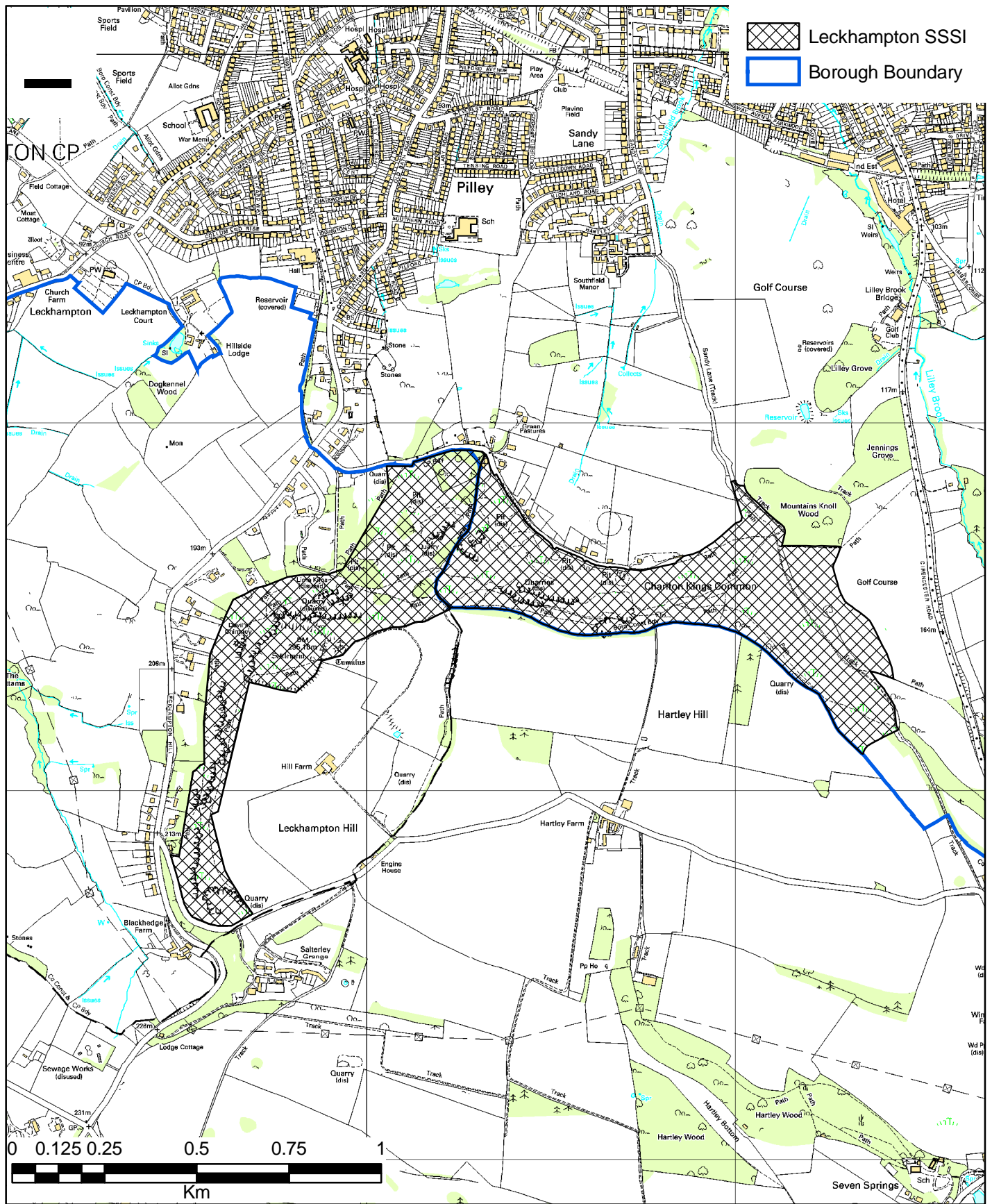
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**The water environment**

- 8.45 The water environment comprises rivers, streams, lakes, ponds and groundwater. Maintaining the quality of the water environment is important for amenity, recreation and wildlife, and because both rivers and groundwater are essential sources of water for public supply, industry and agriculture.
- 8.46 In conjunction with the Environment Agency, the Council will resist development which could directly or indirectly adversely affect the quality of surface or underground water from such causes as alterations to the water environment itself, the discharge of waste materials, the inappropriate storage of chemicals, landfill or the disturbance of contaminated land.
- 8.47 Cheltenham Borough contains two zone 1 Aquifer Protection Areas and four zone 3 areas (see plan 4). The Environment Agency require that no large scale development be located in these areas without adequate foul sewer provision and are required to publish a groundwater protection policy to ensure groundwater resources are conserved and not polluted. The Environment Agency's policies are set out in its document 'Policy and Practice on the Protection of Groundwater'

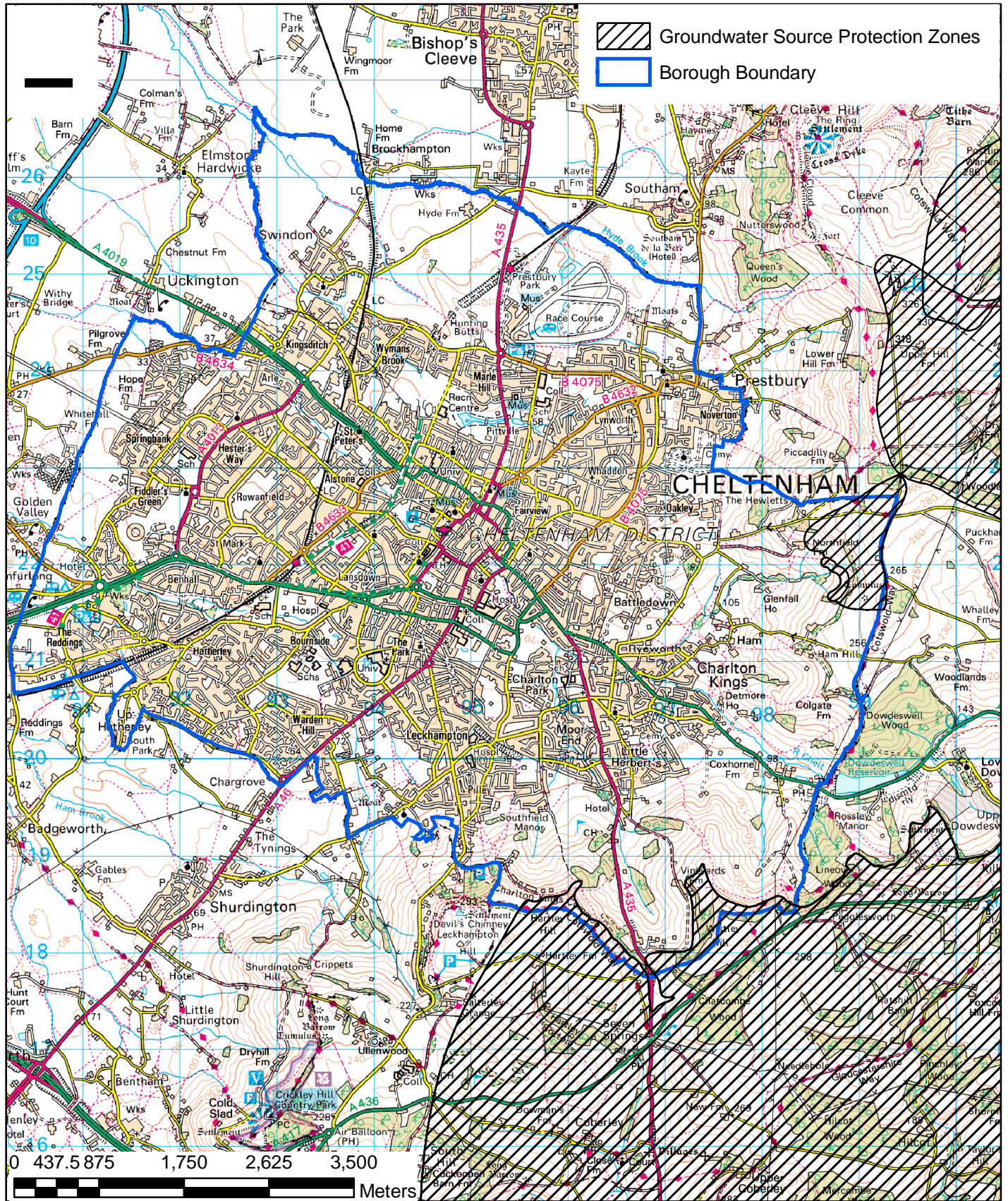


# PLAN 3: LECKHAMPTON SSSI





# PLAN 4: AQUIFER PROTECTION ZONE





# 9 : THE ECONOMY

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## INTRODUCTION

- 9.1 Cheltenham is one of Gloucestershire's two sub-regional employment centres. About 62,900 people work in the Borough, 85% in the service sector and 12% in manufacturing industries (2004 Gloucestershire Labour Market Information Unit GLMIU). The town is the county's principal office centre, housing the headquarters of several national and multi-national businesses, and government agencies, including GCHQ, which is the national centre for signals intelligence and information assurance. The key components of the manufacturing sector are metal and transport manufacturing. Other sectors, which provide relatively high levels of employment, are retailing, financial and business services, tourism, education and health.
- 9.2 Cheltenham's economy is not self-contained, but forms part of a wider area of economic activity in the central Severn Vale, itself part of an economically dynamic triangle southwards to Swindon and Bristol. 37% of people who work in the town live elsewhere, and 30% of residents work outside the Borough, primarily in Gloucester and Tewkesbury, with a net daily inflow of 6,610 commuters (2001 ONS).
- 9.3 Cheltenham's is a relatively affluent economy. In 2004 its Gross Value Added (GVA) was estimated to be £2,382 million, with a per capita level 23% above the national average. The economy also grew by an average 5.4% per annum between 1994 and 2004, compared with a national rate of 5.5%. This growth has occurred in all sectors. During this period the numbers employed in Cheltenham rose from 54,293 to 62,888. Apart from a short period during the early 1990s, the Borough unemployment rate has consistently been below the national average. In August 2006 the rate based on claimant count data was 2.3% compared with the national figure of 2.6% (NOMIS).
- 9.4 In 2001, the Council published its Economic Development and Regeneration Strategy, the aim of which is *'to enable a thriving, prosperous and sustainable local economy, that provides high quality and accessible goods and services, supports enjoyable, fairly paid jobs and retains a high quality of life, both for visitors and local residents.'* The strategy includes five strategic objectives:
- a diversified and sustainable economy
  - a quality approach to the town
  - a skilled labour force
  - employment creation and economic regeneration
  - sustainable transport infrastructure that meets business requirements.
- 9.5 The Council works with the private, public and community sectors, including the Cheltenham Business Partnership Cheltenham Chamber of Commerce, the Federation of Small Business and the Alliance for Community Enterprise, to promote and improve the economic well-being of the town and Borough.

## THE STRUCTURE PLAN

- 9.6 The Structure Plan Second Review aims to secure a balanced economy in Gloucestershire by providing for employment needs commensurate with housing growth over the plan period. The plan's employment policies are based on estimates of future labour supply, which it has distributed amongst the districts according to its housing allocations. For Cheltenham, the plan indicates an additional job requirement between 1991 and 2011 of 4,700, which includes an allowance of 1,100 for reducing unemployment to 5%.
- 9.7 Policy E.1 proposes an 'indicative' net increase in Cheltenham of about 12 hectares of employment land, which it specifies as being for Land Use Classes B.1, B.2 and B.8. Policy E.5 requires existing employment sites to be safeguarded for employment use, except where the site is not required to meet existing or future employment needs, where employment use creates unacceptable traffic or environmental problems, or where an alternative use or mixed-use development would offer local community benefits which outweigh the loss of employment use.

## **LOCAL PLAN APPROACH**

- 9.8 The economic objectives of the Plan are to maintain and enhance the economic vitality of the Borough, to maintain economic diversity, and, for these reasons, to safeguard the most versatile employment land (as defined by the Structure Plan).
- 9.9 There are no Simplified Planning Zones in the Borough. The Council does not consider that any of its industrial estates or land allocations meet the criteria for Simplified Planning Zone designation.

## **EMPLOYMENT LAND**

### **Employment land supply**

- 9.10 Policy E.1 of the Structure Plan requires provision to be made for a choice of employment sites to provide for flexibility and competition in meeting the social and economic needs of communities. However, the plan states that the employment land estimates for each district included in the policy should not be used with mathematical exactitude, nor as targets, as they represent an indicative distribution only.
- 9.11 The current position in respect of employment land provision in Cheltenham Borough since 1991 is shown in table 9. Whilst some additional employment land has been provided, a greater amount has been lost to redevelopment for other uses. Furthermore, planning permissions as yet unimplemented will further reduce the existing stock of employment land. Together the actual and potential changes and unimplemented schemes amount to an impending reduction of 8.41 hectares since 1991.
- 9.12 The Borough Council has undertaken a comprehensive appraisal of opportunities for the allocation of additional land for employment, and has identified three sites suitable for employment use within a mixed use development (see policy PR 2). There are no greenfield sites in the urban area that are considered appropriate for B2 (general industrial) use or B8 (warehousing).
- 9.13 Although the identified provision of employment land falls short of the Structure Plan's indicative estimate, the Borough Council considers that the following circumstances make the proposed level of provision appropriate:
- since 1991, employment in the Borough has grown by 10,000, considerably greater than the estimate of growth in labour supply on which Structure Plan policy is based
  - notwithstanding this, the Borough Council expects further employment growth to occur within Cheltenham through the redevelopment, rationalisation or denser use of some existing employment sites
  - the Borough's unemployment rate is low and below the national average
  - as residential development within the Borough is unlikely to exceed the Structure Plan requirements to 2011, the excess of jobs over Structure Plan estimates will be filled by people living outside the Borough. This will generate an increase in commuting to the town, including additional vehicles on a road network, which has limited potential for an increase in capacity. This is not regarded by the Borough Council as promoting sustainable development
  - changes in working practices, including a growing number of people working from home, will reduce the need for traditional employment sites.
- 9.14 This approach is taken in the context of policy E.5 in the Structure Plan and policy EM 2, which seek to safeguard existing employment land.
- 9.15 For these reasons, the Borough Council does not consider it appropriate at this stage to make ad hoc deletions from the Green Belt to provide land for employment. If it is shown that additional employment land is required, the Council considers this should be provided only after a comprehensive review of the Green Belt, as indicated in Regional Planning Guidance for the South West, to create the most sustainable solution. The Council's employment land audit is expected to be completed summer 2007; this study together with a comprehensive review of the Green Belt (completion 2007) will inform the employment land strategy of Cheltenham within the context of the emerging Regional Spatial Strategy for the South West. The Borough Council will prepare a Core Strategy as a priority within its emerging Local Development Framework. The Local Development Scheme sets the timetable for the Local

Development Framework. This timetable has been prepared in partnership with the Government Office for the South West, reflecting the importance of the front loading process and engagement with partners, stakeholders and the community of Cheltenham. The Local Development Scheme can be viewed via the Council's website:

[www.cheltenham.gov.uk/libraries/templates/thefuture.asp?URN=3197&FolderID=0](http://www.cheltenham.gov.uk/libraries/templates/thefuture.asp?URN=3197&FolderID=0)

- 9.16 With the introduction of the Planning and Compulsory Purchase Act (2004) RPG10 gained status as a statutory part of the development plan during the transition to the Regional Spatial Strategy. Therefore whilst the Council acknowledges the certificate of non-conformity issued by Gloucestershire County Council it considers that RPG10 carries greater weight and more appropriately reflects the Government's strategy for development.
- 9.17 Policy SS4 of RPG10 requires the review of Green Belt boundaries within the review of Structure Plans. Gloucestershire Structure Plan Third Alteration considered that a review of the Green Belt was not required until post 2016. This plan has not been progressed to adoption; therefore Gloucestershire Structure Plan remains part of the statutory development plan. The policies of the Structure Plan remain relevant through their status as saved policies under the provisions of the Planning and Compulsory Purchase Act 2004 until the Regional Spatial Strategy for the South West is finally published.
- 9.18 In the absence of an open and transparent review of the Green Belt that has been subject to public consultation, together with a sound evidence base which robustly assesses all suitable sites it is premature to make incursions into the Green Belt.
- 9.19 However, some opportunities may exist for additional B1 (business) uses, which by definition can co-exist with residential and other uses. These may arise as small-scale new development or as redevelopment. Employment uses will not normally be allowed where a residential use would be lost, or on sites not already in employment use in predominantly residential parts of the conservation areas.

<b>TABLE 9: EMPLOYMENT LAND PROVISION IN CHELTENHAM BOROUGH MID-1991 – 1 APRIL 2006</b>	
	<b>area (ha)</b>
Sites developed since mid-1991	7.59
Sites lost since mid-1991	21.79
<b>Net position since mid-1991</b>	<b>- 14.2</b>
Outstanding planning permissions: additions	7.15
Outstanding planning permissions: losses	1.36
<b>Potential change</b>	<b>5.79</b>
<b>Actual and potential change</b>	<b>-8.41</b>

**POLICY EM 1  
EMPLOYMENT USES**

Objectives O6, O7, O19 and O20

**The development or change of use of land for employment use (note 1) will be permitted where the development:**

- (a) involves land already in employment use; or**
- (b) is on a land safeguarded for employment uses in this plan (note 2); or**
- (c) forms part of a mixed use development in accordance with policy CP 6 (note 3); and**
- (d) accords with policies CP 4, BE 2, and HS 7 (note 3).**

Note 1

Land for employment use in this context means land for development in Use Classes B1, B2 and B8.

Note 2

See policy EM 2 (safeguarding of employment land).

Note 3

CP 4 (safe and sustainable living), CP 6 (mixed use development), BE 2 (residential character in conservation areas), and HS 7 (loss of residential accommodation).

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### **Existing employment land**

- 9.20 In view of the limited opportunities for the development of new employment sites in the urban area, the town cannot afford to lose existing employment land and premises to alternative uses.
- 9.21 Because of the limited supply of employment land, the Council wishes to ensure that sites currently or last in employment use remain available for B1 - B8 employment uses and are not eroded by development for other uses. This land will be safeguarded by policy EM 2.
- 9.22 Exceptions to the policy may be permitted where continuation of the use is undesirable on traffic, amenity or environmental grounds, or there is a demonstrable lack of demand for employment use, currently or in the future.
- 9.23 The redevelopment of employment land for mixed use schemes will be permitted where there is an improvement in the quality of provision on the site.
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## **POLICY EM 2**

### **SAFEGUARDING OF EMPLOYMENT LAND**

Objectives O6, O7, O20 and O21

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**A change of use of land and buildings in existing employment use, or if unoccupied to a use outside Use Classes B1, B2 or B8 inclusive will not be permitted, except where:**

- (a) buildings on the land were constructed and first occupied for residential use; or**
- (b) the retention of the site for employment purposes has been fully explored without success (note 1); or**
- (c) the proposed use is sui generis but exhibits characteristics of B1, B2 or B8 employment uses and which should appropriately be located on employment land (note 2); or**
- (d) development of the site for appropriate uses other than B1, B2 or B8 and criteria (c) will facilitate the relocation of an existing firm to a more suitable site within the Borough (note 3); or**
- (e) employment use creates unacceptable environmental or traffic problems which cannot be satisfactorily resolved.**

**Mixed use development will be permitted on employment land provided:**

- (f) any loss of existing floorspace would be offset by a gain in the quality of provision through modernisation of the existing site. This should secure or create employment opportunities important to Cheltenham's local economy, and**
  - (g) the loss of part of the site to other uses does not have a detrimental impact on the range of types and sizes of sites for business uses in the area nor the continuing operation of existing business sites; and**
  - (h) the use is appropriate to the location and adds value to the local community and area.**
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Note 1

Evidence will be required to demonstrate demand; this may include details of past advertising, vacancy levels, and rent levels. This list is not exhaustive and further information may be requested.

Note 2

Sui generis uses which may require an employment site location include; Car sales, builder's yard; vehicle or tool hire business. This list is not exhaustive and other uses may be relevant.

Note 3

Evidence will be required to demonstrate why the existing site is unsuitable for the current use, why the alternative site is more suitable and why other uses are considered necessary in order to facilitate the relocation of the current user elsewhere within the Borough.

A change of use under criterion (d) will be subject to a Section 106 agreement.

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### **Intensification or expansion of employment use**

- 9.24 Government advice lays great emphasis on allowing small businesses to operate without hindrance from local 'red tape'. PPG4 reminds planning authorities that a great variety of activities can operate satisfactorily within the limits of the B1 (business) use as defined in the Use Classes Amendment (England) Order 2006, and the fact that a business is non-conforming is not sufficient justification for enforcement or refusal of planning permission. PPS1 encourages mixed use development. The dispersal of employment can also encourage sustainable travel patterns.
- 9.25 In Cheltenham there are many examples of businesses operating successfully within predominantly residential areas; problems tend to arise when successful businesses grow beyond the capacity of their site or when the nature of the business changes. The Council will generally not attempt to inhibit compatible business activity in these areas, but will resist the intensification or expansion of a business if it would harm the character or amenity of adjoining properties or the surrounding area, particularly where these are residential or if it is within the residential part of a conservation area, see policy CP 4 (safe and sustainable living).
- 9.26 In considering planning applications for the intensification or expansion of existing employment sites or premises, the Council will have regard to any history of complaints relating to the existing business.

## **INDUSTRY**

### **Environmental quality in industrial areas**

- 9.27 The environmental quality of industrial estates is often poor, particularly in older areas. Improvements can only be achieved incrementally as individual sites are redeveloped. The fact that the surrounding area is of poor quality will not be regarded as an excuse for low grade redevelopment.
- 9.28 A significant contribution to improving the environmental quality of industrial areas can be achieved by applying a high standard of design to industrial estates and buildings.
- 9.29 In order to ensure that developments make a positive contribution to the town and to protect adjoining areas, whether residential or commercial, industrial developments or redevelopment will be expected to satisfy the following requirements:
- traffic generated must not overload the neighbouring highway network. Where necessary, improvements to the local highway network must be funded by the development.
  - roads within the site must meet the local highway authority's standards.
  - adequate loading, manoeuvring and parking space must be provided within the site (see table 16 for the relevant car and cycle parking standards).
  - in addition to private vehicle access, provision should be made for the needs of cyclists, pedestrians and public transport users.
  - the type of activity must not cause undue demonstrable harm to nearby established industrial users.
  - no undue environmental disturbance such as noise, vibration, smell, light or dust must be caused to adjacent residential properties. Where appropriate, restrictions on the hours of operation will be imposed.
  - the development or industrial processes undertaken must not result in the pollution of ground or surface water
  - landscaping, including trees and robust buffer strips, amenity space and screening of storage and outdoor process areas should be provided.

## **BUSINESS USE**

- 9.30 Business use, which includes offices, represents the largest sector in Cheltenham's economy, with financial and business services accounting for 22% of output and public services a further 24% (ONS 2001). As a result of local, national and international factors, the sector has been subject to significant change since 1991, with a decline in the relative importance of banking and insurance and an increase in management services, advertising and information technology.

- 9.31 Opportunities for new development are limited, but at present there are no general restrictions on the level of new business use development in the Borough.
- 9.32 Business use is acceptable within employment areas as defined by this Plan, but by definition in the Use Classes Amendment (England) Order 2006, can also be carried out in residential and other areas. However, there are other considerations which affect the location of new business development.

### **Location of business use development**

- 9.33 The Government has made clear its intention to work towards ensuring that development and growth are sustainable. Both PPS6 and PPG13 lay emphasis on encouraging land uses which attract a lot of people to locate in positions which are accessible by a choice of means of transport. For such uses, including commercial and public offices, local planning authorities are required to adopt a sequential approach to the selection of sites for development. This means that first preference should be for town centre sites, where suitable sites or buildings suitable for conversion are available, followed by edge of town centre sites, district and local centres and only then out-of-centre sites in locations accessible by a choice of means of transport
- 9.34 In Cheltenham, particular circumstances have influenced the way in which the terms ‘town centre’ and ‘edge of town centre’ have been interpreted for the purposes of the sequential test.
- 9.35 First, for office (i.e. B1) development, PPS6 defines edge of town centre locations as being within a walking distance of about 500 metres of the station or other public transport interchange. In Cheltenham, the railway station is nearly 2 kilometres from the heart of the town centre and cannot be used for this purpose. Instead, the station stands to be assessed as an out-of-centre site accessible by public transport.
- 9.36 Second, in Cheltenham town centre, the location of office development is already limited by Policy BE 2 to a defined ‘Core Commercial Area,’ in order to protect the residential character of the Cheltenham (Central) Conservation Area. Some of the residential parts of the conservation area are within 500 metres of the primary shopping areas. To be consistent with Policy BE 2, the terms ‘town centre’ and ‘edge of centre’ as used in PPS6 must also equate to the defined ‘Core Commercial Area.’
- 9.37 For these reasons, policy CP 2 (sequential approach to development), which sets out the sequential approach for development which would attract a significant number of trips, treats the Core Commercial Area as defined on the Proposals Map as equating to a boundary defining the limit for edge-of-centre locations.

### **TOURISM**

- 9.38 Tourism has been an integral part of Cheltenham’s economy since its development as a Regency spa (in 2000 Gloucestershire Tourism estimated that there were over 6 million visitor trips with an estimated visitor expenditure of £256 million) and assists in the retention and restoration of the Regency heritage. Approximately 1 in 7 of the Borough’s labour force are employed in jobs directly or indirectly related to tourist spending. Certain facilities, such as specialist shops, theatres and restaurants, are available to local residents because of the additional trade brought by visitors. A healthy conference trade supports the tourism sector of the economy, extending the tourist season, and boosting employment and trade for tourist related businesses in the quieter months of the year.
- 9.39 Despite these benefits, tourism can also cause problems, both within Cheltenham and in areas around. These include traffic congestion and pressure on parking and other local facilities, which can be particularly acute in Cheltenham town centre and during race days. The Council must therefore weigh the economic and environmental benefits of visitor spending and the disadvantages and inconvenience to the local community arising from excessive tourist pressure on local facilities. It must also ensure that sensitive environmental thresholds are not breached.
- 9.40 The Council has published a *Cultural Strategy*, which states that the cultural industries, including tourism, are at the centre of Cheltenham’s economy. This aims, amongst other things, to develop Cheltenham’s reputation as a festival and event town and to promote the town as a quality tourist centre for the region.

### **Conferences**



- 9.41 Cheltenham is already a well established venue for medium sized conferences. Capacity in existing hotels, in public conference facilities and any further private conference developments could accommodate additional conference activity, primarily for functions of between 100 and 2000 delegates. The Council considers that the further development of the town as a medium sized conference centre is possible and desirable. Further facilities will need to be located in accordance with the sequential test of PPS6 (see policy CP 2 – sequential approach to development).

### **Tourist accommodation**

- 9.42 Currently there are in the order of 2,500 bedspaces in hotels and guest houses in Cheltenham, catering for both tourists and commercial trade. Scope exists for an increase in this number, through the construction of new hotels or the extension of existing premises. New accommodation should be located in accordance with the sequential test of PPS6.
- 9.43 There may also be a need to improve the quality of some accommodation and related facilities, including the provision of en-suite facilities, in line with rising customer aspirations and in the face of greater competition in the marketplace.
- 9.44 The Council supports the development and improvement of serviced accommodation and the provision of self-catering accommodation, which can be a suitable use for some large Regency buildings, subject to sensitive conversion (see Built Environment chapter and specifically policies BE 7 (parking on forecourts or front gardens in conservation areas), BE 9 (alteration of listed buildings) and BE 17 (signs and advertisements on listed buildings)).
- 9.45 The high value of residential land in Cheltenham is placing pressure on many existing hotels and guest houses, and a significant number have been lost to other uses in recent years. The Council recognises that some of these have been in smaller establishments or poorer quality accommodation, and that the loss has been offset to some extent by the development of new facilities in the town.
- 9.46 In view of the contribution of tourism to the local economy, maintaining the stock of serviced accommodation is important and there will be a presumption against a change of use or redevelopment, which involves the loss of existing serviced accommodation.

### **Tourist attractions**

- 9.47 Unlike other tourist towns of similar size, Cheltenham lacks a major visitor attraction, a feature regarded by the Heart of England Tourist Board as the principal limiting factor on the further growth of tourism in the town. The Council will encourage the provision of a range of smaller visitor attractions in both public and private sectors. New visitor attractions should be located in accordance with the sequential test of PPS6 (see policy CP 2 – sequential approach to development), and may form part of a mixed use development (see policy CP 6 – mixed use development).

## **OTHER KEY EMPLOYMENT SECTORS**

### **Retailing**

- 9.48 The output of retailing in Cheltenham was valued at around £243 million in 2004, representing 49% of the total of the distribution sector and about 10% of Cheltenham's economy. Despite a strong recent performance, the retail sector must guard against competition from other new or upgraded centres and from new forms of retailing. The Council is keen to support the sector by maintaining accessibility to town centre shops and by enhancing the quality of the environment for shoppers. Policies for retail development are included in chapter 11.

### **Night-time economy**

- 9.49 In recent years, Cheltenham has developed a strong night-time leisure-based economy with a vibrant and prosperous pub and club scene which attracts over 20,000 visitors each weekend, and is estimated to generate between £21 and £31 million annually.
- 9.50 However, these benefits can be offset by other factors. Some leisure activities such as restaurants, night clubs and licensed premises can cause disturbance or, in some instances, give rise to crime or the fear of crime, affecting the ambience and safety of the town centre.

### **Education and health**

- 9.51 Other service activities likely to grow are education and health, as existing facilities develop and expand. In particular, the development of the University of Gloucestershire has considerably increased student numbers. Further extensions to Cheltenham General Hospital are planned, and as the population ages there will be increased demand for staff in both public and private health sectors.

# 10 : HOUSING

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## INTRODUCTION

- 10.1 In seeking to achieve more sustainable forms of development, the Government has provided firm guidance on the provision of new housing. Local authorities should:
- plan to meet the housing requirements of the whole community
  - provide wider housing opportunity and choice and a better mix in the size, type and location of housing
  - place housing in locations which are accessible by public transport to jobs, shopping, leisure, education and health facilities
  - give priority to using previously-developed land within urban areas
  - make more efficient use of land
  - promote good design in new housing development, placing the needs of people before the ease of traffic movement.
- 10.2 The Government also advocates a 'plan, monitor and manage' approach to the allocation and release of land for housing.
- 10.3 In Cheltenham the demand for housing is high, but the scope for further residential development is constrained by the historic urban environment, the Green Belt, the Area of Outstanding Natural Beauty, and green spaces protected for the recreational and leisure needs of residents and visitors to the town and biodiversity.

## THE STRUCTURE PLAN

- 10.4 Policies S.1 and H.4 of the Structure Plan Second Review propose that most residential development in Gloucestershire will be provided in the Central Severn Vale. Priority is given to development within Cheltenham and Gloucester and to adjacent locations which are or can be easily and conveniently accessed by means of transport other than the private car. Policy S.3 gives priority to the development of land within existing built-up areas.
- 10.5 Policy H.2 states that provision should be made in Cheltenham Borough for about 7,350 new dwellings between mid-1991 and mid-2011 (net requirement). In the interests of sustainable development this figure is above trend housing forecasts.
- 10.6 Policy H.7 requires provision to be made to meet the needs of those unable to compete in the housing market. Policy H.8 requires provision to be made for a range of dwellings in terms of location and size to meet local requirements. Policy H.9 requires provision to be made for residential densities at a level which makes the best use of land consistent with environmental considerations.

## LOCAL PLAN APPROACH

- 10.7 The housing objectives of this Plan are, within the context of the Structure Plan, to meet housing requirements, including the need for affordable housing, and to secure a high standard of design and residential amenity.
- 10.8 The Plan will seek to achieve these by:
- permitting residential development, including changes of use, where this is consistent with local plan policies
  - ensuring the best use of land
  - retaining existing housing stock
  - taking an urban design approach to the design of new housing.

The availability of previously developed sites will diminish over the plan period. The Borough Council will investigate how the long term growth of Cheltenham can be accommodated in the most sustainable

manner within the context of the Regional Spatial Strategy for the South West. This work will inform Cheltenham's Local Development Framework.

## **HOUSING REQUIREMENTS**

- 10.9 Housing to meet Structure Plan requirements will come from three sources:
- housing completions
  - commitments for housing development, and
  - future planning permissions, both 'windfalls' and sites allocated for development in this plan.
- 10.10 The Government has set a national target for additional housing of at least 60% to be provided on previously developed land and through conversions of existing buildings. Policy HO 5 of RPG10 sets a target for the South West region as a whole of at least 50% of new housing on previously developed land. Taking account of dwellings completed since mid-1991, the level of commitments, and estimates of capacity, the Borough Council's target for Cheltenham Borough for the period 1991 to 2011 is 80%.

### **Housing completions**

- 10.11 5,514 additional dwellings were completed in Cheltenham Borough between mid-1991 and the end of March 2006. An estimated 134 dwellings were lost during this period, giving a net increase of 5,380 dwellings (see table 10).

### **Housing commitments**

- 10.12 At the beginning of April 2006, housing commitments in the Borough amounted to 2,315. Of these 2,189 were outstanding on sites with planning permission, and 126 had a Council resolution to grant planning permission subject to the completion of a planning obligation or DCLG consultation (see table 10).

### **Future planning permissions**

- 10.13 Future housing provision will be met from two sources: 'windfall' planning permissions (i.e. sites which have not been specifically identified in this Plan as available) granted after the end of March 2006, and sites allocated in this Plan for residential development (see policies PR 1 and PR 2). The likely future level of windfalls must be estimated first in order to determine the amount of land, if any, to be allocated.
- 10.14 In order to assess the potential for future housing development, the Council has undertaken an *Urban Capacity Study* as required by PPG3. The study took account of DTLR publication *'Tapping the Potential'* and the South West Regional Planning Board guidelines.
- 10.15 The study was based on a comprehensive survey of the urban area to identify larger sites (capable of accommodating 10 or more dwellings) with potential for new or additional recorded on the *National Land Use Database* and on projections of historical completion rates for windfalls on previously-developed land. These projections were modified to avoid double counting of sites already included in the commitments figure, and to take account of a range of specified factors which were considered likely to influence future rates of development.
- 10.16 The study estimated the provision of 1,700 for the period 2004 – mid-2011, and therefore indicating a prospective oversupply.
- 10.17 This position will be monitored annually through the completion of a *Residential Land Availability* report and the review of the *Urban Capacity Study* and *Annual Monitoring Report*.

## **HOUSING DEVELOPMENT**

### **Residential allocations**

- 10.18 The Plan has allocated one site for housing (see policy PR 1), and six sites for mixed use development (see policy PR 2) where an element of housing will be expected to be developed. In view of the findings of the *Urban Capacity Study*, that residual housing requirements for the plan period are likely to be met on previously developed land through local plan allocations and windfall development.
- 10.19 Should annual monitoring indicate that housing development on previously developed land is likely to fall short of Structure Plan requirements, the Council will seek to identify greenfield land which could be

brought forward for development within the Plan period. It will evaluate options using a sequential approach based on sustainability principles (see policies CP 1, CP 2 and table 6).

<b>TABLE 10 DWELLING REQUIREMENT 1991-2011 AND PROVISION AT END OF MARCH 2006</b>	
<b>Structure Plan requirement mid 1991 – mid 2011</b>	<b>7,350</b>
Net completions mid 1991 – end 2006	5,380
Commitments	2,315
<b>Total: completions and commitments</b>	<b>7,695</b>
<b>Residual requirement</b>	<b>-345</b>
<b>Provision for housing lost to demolition / change of use</b>	<b>11</b>
<b>Commitments unlikely to come forward before mid 2011</b>	<b>-188<sup>1</sup></b>
<b>Planning permissions required</b>	<b>0</b>
<b>Windfall provision to 2011 (Urban Capacity Study 2004 estimate)</b>	<b>1130</b>
<b>Potential oversupply</b>	<b>1287<sup>2</sup></b>

Source: Residential Land Availability and Urban Capacity Studies, Cheltenham Borough Council (2005/06)

### **Future planning permissions**

- 10.20 In addition to these allocated sites, 'windfall' applications will continue to come forward. In accordance with the sequential approach advocated by PPG3, permission will only be granted on previously developed sites, in the form of infill development, redevelopment, change of use or subdivision.
- 10.21 Planning permission will only be granted where the proposal is appropriate for the site and consistent with other local plan policies; in particular, those which are intended to ensure that development respects the historic character and high environmental quality of the Borough as a whole, and the character and amenity of the locality. Within these constraints, development must make the most efficient and effective use of development land.

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## **POLICY HS 1**

### **HOUSING DEVELOPMENT**

#### **Objective O22**

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#### **Housing development will be permitted on:**

- (a) land allocated for residential development (note 1); and**
- (b) previously-developed land, subject to policies BE2, BE9, GE2 and HS3 (note 2)**

**In all cases, development should make the most efficient and effective use of the site.**

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#### **Note 1**

See policies PR1 (land allocated for housing development) and PR 2 (land allocated for mixed use development). Allocations for residential development are shown on the Proposals Map.

#### **Note 2**

<sup>1</sup> It is unlikely that 188 dwellings from Phase 3 at GCHQ Oakley will be built before mid-2011.

<sup>2</sup> Potential oversupply includes Windfall provision to 2011 and the residual of the GCHQ Oakley site being provided prior to 2011.

Previously-developed land is as defined in Annex C of PPG3 (see glossary).

Note 3

BE 2 (residential character in conservation areas), BE 9 (alteration of listed buildings), and HS 3 (subdivision of existing dwellings). Other particularly relevant policies are CP 1 (sustainable development), CP 3 (sustainable environment), CP 4 (safe and sustainable living), CP 7 (design), GE 2 (loss of locally significant open space), BE 1 (open space in conservation areas), HS 4 (affordable housing), HS 2 (housing density).

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## **POLICY HS 2**

### ***HOUSING DENSITY***

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Objectives O5, O6, O7

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**Housing development will be required to demonstrate the efficient use of land between 30 and 50 dwellings per hectare, with a greater intensity of development at places with good transport accessibility.**

**Except where:**

- (a) it is clearly demonstrated that development at these densities would compromise the Principles of Urban Design (Table 3) and the creation of safe and sustainable neighbourhoods (note 1), or**
  - (b) where it would harm an interest of acknowledged importance (note 2)**
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Note 1

Proposals should demonstrate design and layout which makes efficient use of land without compromising local amenity, sustainable development objectives or the quality of the environment (see Policies CP 4 (safe and sustainable living) and CP 7 (design)).

Note 2

Policy CP 3 (sustainable environment)

Note 3

The local planning authority is required to notify the Secretary of State of applications for housing on sites of 1 hectare or more and where the residential density is either not provided or will involve a density of less than 30 dwellings per hectare.

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## **Subdivision of existing dwellings**

- 10.22 Policy HS 3 permits, in principle, the subdivision of existing dwellings as a form of development on previously developed land. Whilst subdivision can contribute to meeting housing needs, particularly for smaller and less expensive housing, it may, individually or cumulatively, adversely affect the character of residential areas or harm the amenity of neighbouring properties. Policy HS 3 sets out criteria to be met by subdivisions.
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## **POLICY HS 3**

### ***SUBDIVISION OF EXISTING DWELLINGS***

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Objectives O11 and O23

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**The subdivision of an existing dwelling will not be permitted where it would cause harm, individually or cumulatively, to the character of a residential area (note 1) by virtue of:**

- (a) the size and character of existing buildings on and in the locality of the site; and**
  - (b) the location, concentration or balance of subdivided dwellings.**
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Note 1

This will apply particularly within established single occupancy residential areas.

Note 2

In addition to planning permission, proposals may need to comply with other statutory health and safety standards.

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## AFFORDABLE HOUSING

- 10.23 PPG3 states that a community's need for a mix of housing types, including affordable housing, is a material planning consideration which should be taken into account in formulating development plan policies and in deciding planning applications involving housing. It indicates that local authorities should take account of up-to-date assessments of local housing need to secure an appropriate mix of dwelling size, type and affordability and encourage the provision of housing to meet the needs of specific groups, including key workers. A well-integrated mix of decent homes of different types and tenures will also contribute to the Government's aim of delivering sustainable communities.
- 10.24 To inform its Housing Strategy and its approach to the provision of affordable housing, the Council commissioned a *Housing Needs Study* to assess the range of needs for different types and sizes of housing across all tenures. This was undertaken by Fordham Research in 2000 and was reviewed and updated in 2003.
- 10.25 In 2004 a housing Needs Assessment of Cheltenham was completed. This study identified a total net shortfall of affordable housing of 2,520 per annum for the next five years. This assumes that the Borough Council will be successful in delivering affordable housing schemes already planned. If this is not achieved the gross need for affordable housing is 2,675 per annum.
- 10.26 The need to make specific provision for affordable housing is particularly acute in Cheltenham, because the relatively high cost of housing excludes many lower paid people from the housing market (recent annual increases of about 20% on the already high costs have aggravated the position). Many of these people work in Cheltenham in the retail, tourist and other service sectors, which are key parts of the town's economy. If they have to find housing in other, cheaper locations, such as Tewkesbury or Gloucester, they will need to travel further to work, which is more expensive for them and generally less sustainable. This will also detract from the creation and maintenance of mixed communities in accordance with PPG3.
- 10.27 Affordable housing can be provided by Registered Social Landlords on their own initiative or in proactive partnership with developers. The reuse of empty homes may also help meet needs. In addition, the Council can negotiate with developers for the provision of an element of affordable housing on suitable sites, in accordance with PPG3 and Circular 6/98 ('Planning and Affordable Housing').
- 10.28 However, because of the relatively low level of public subsidy for affordable housing and the shortage of land for development within the urban area, in particular the limited number of larger sites for housing development, the likelihood is that the identified requirement for affordable housing will not be met within the Borough. In view of these exceptional local constraints and the scale of identified need, the Council, in negotiating for affordable housing, will apply the lower size threshold indicated by the circular of 15 dwellings or more or 0.5 hectare or greater.
- 10.29 It is the Council's intention to review annually housing needs and progress in securing the provision of affordable housing, in order to ensure that its policies, both as a housing and a planning authority, remain relevant.
- 10.30 To contribute to and create mixed and balanced communities on site provision of affordable housing will be required, only in exceptional circumstances will provision off site or a commuted sum be considered acceptable. The Council has published supplementary planning guidance on *Affordable Housing*, which sets out in greater detail the basis on which the Council will negotiate for the provision of affordable housing in conjunction with residential development.

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**POLICY HS 4**  
**AFFORDABLE HOUSING**

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Objective O22

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**In residential developments of 15 or more dwellings or residential sites of 0.5 hectare of greater a minimum of 40% of the total dwellings proposed (note 1) will be sought for the provision of affordable housing (note 2).**

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Note 1

This proportion may vary to take account of the exceptional circumstances relating to a site.

Note 2

Affordable housing is defined as low cost market and subsidised housing, detailed guidance on this definition is provided in supplementary planning guidance on Affordable Housing.

Note 3

Where affordable housing is to be subject to a planning obligation it will ensure that all initial and subsequent occupiers will benefit from the affordable status of the dwellings. This will include details of the level of service charge linked to the Retail Price Index.

Note 4

Affordable housing provision should normally be distributed throughout a site.

Note 5

Commuted sums and off site provision will only be considered in exceptional circumstances.

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**Mobile homes**

- 10.31 Mobile homes and static caravans can provide a useful form of affordable housing, especially suitable for small households, although they do not always enhance their surroundings. In 2006 there were 13 sites licensed to provide 380 mobile homes within Cheltenham Borough, the majority of which are located on the periphery of the urban area, especially within the Green Belt. Applications in respect of mobile homes will be considered in the context of policies CO 2 (development within or affecting the AONB) and CO 6 (development in the Green Belt).

**Gypsies and travelling show people**

- 10.32 Records kept over a long period of time show negligible gypsy movements in the Borough, and hence little demand for gypsy sites. In accordance with Circular 01/06 the Council will continue to monitor gypsy movements and will endeavour to accommodate them in accordance with Structure Plan policy H.10 should the need arise.
- 10.33 In accordance with Circular 22/91, the Council has also considered the needs of travelling show people in preparing the Plan. Currently sites are made available to accommodate show people during the duration of their enterprises in the Borough, which are usually infrequent and short-term. The Council is not aware of a demand within the Borough for long-term quarters for show people and does not propose to make specific provision for them. Planning applications for such provision will be considered in the light of relevant policies of this Plan and Government advice relating to the proposal.

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**POLICY HS 5**  
**MIXED COMMUNITIES**

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Objective O22

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**In residential developments a mix of housing sizes and types will be required which promotes social inclusion (note)**

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Note

In considering housing mix the following will be taken into account:

- Cheltenham housing needs assessment (2004);
- The scale of the proposals, including the physical characteristics of the site and its context and the ability of the development to meet the principles of urban design set out in table 3
- Characteristics of existing housing stock in the local area which demonstrate making the best use of land;
- Whether the development contributes to or creates a well integrated and inclusive community;
- Current housing conditions.



All sites for residential development should contribute to the creation of mixed and balanced communities. This should include an appropriate assessment of the mix of housing in terms of number of bedrooms and the provision of affordable housing.

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### **Housing for the elderly**

- 10.34 Demographic changes mean that the number of older people is growing, with a significant increase in the number of older pensioners. The Council is committed to improving the living conditions of the elderly. Initially, assistance is given to older people to enable them to remain independent in their own homes, even where they are in a substandard condition or require significant adaptation to accommodate disability or infirmity. Many houses can be readily adapted to improve access or provide amenities, which will significantly enhance the quality of life for elderly occupants.
- 10.35 Mandatory disabled facilities grants allow the Council to grant aid up to 100% of improvement costs in cases of low income. A discretionary cash limited minor works grant has been introduced subject to adequate resources for elderly owner occupiers on housing benefit who wish to carry out minor modifications to enable them to remain in their own homes. To ensure those qualifying for assistance receive support and encouragement through this process, the Council assists Care and Repair (Cheltenham) Ltd, a recognised home improvement agency, with grants.
- 10.36 Although more people are encouraged to stay in their homes with appropriate support, there is increasing demand for residential care and specialist accommodation for the elderly. The Council closely liaises with the County Social Care Department to try to ensure elderly people's needs are properly identified, correctly addressed and sufficiently resourced.
- 10.37 However, there comes a point where elderly people are no longer able to cope with general purpose housing, despite the assistance of domiciliary services such as home care assistants.

### **Sheltered and retirement housing**

- 10.38 Some developers provide housing for older people which provides a measure of both independence and support facilities, which can help to maintain a high quality of life for their residents. Sheltered schemes consist of a group of self-contained dwellings linked to warden assistance. Retirement villages are similar in concept, but larger, with a greater range of facilities. The provision of these types of accommodation, and in particular schemes which cater for the frail elderly, will be encouraged by the Council, where they can provide for the continuing care of the more vulnerable amongst the elderly and minimise strains upon local care services. Such schemes should comply with policy HS 6.

### **Residential and nursing care homes**

- 10.39 Whilst sheltered housing schemes, particularly those providing minor nursing care or assistance with basic household chores, can help to bridge the gap between older people living independently in their own homes and their requiring constant care and attention, increasing old age and infirmity may eventually lead to the decision that a residential or nursing home may be the best solution for the individual. The increasing proportion of older people in the population has led to an increase in the demand for such homes, although provision has recently been falling.
- 10.40 There has also been an increase in the number of planning applications for homes providing for other categories of people in need of care, following the Government's introduction of the 'Care in the Community' initiative, which has opened a new market for the provision of accommodation for people in need of personal care by reason of disablement, past or present dependence on alcohol or drugs, or past or present mental disorder. The majority of these applications are for the conversion of existing buildings, usually in established residential areas.
- 10.41 Care homes are regulated by the National Care Standards Commission, an independent public body established by the Care Standards Act 2000.
- 10.42 Planning permission is not required for homes providing accommodation for 6 or fewer people living as a single household. It is important that larger homes provide adequate amenities for residents and do not cause harm to the residential character of amenities of the area in which they are located.

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**POLICY HS 6**  
**ELDERLY PERSONS HOUSING**

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Objectives O8 and O22

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**Purpose built elderly persons' flats, retirement and sheltered housing or similar self-contained accommodation, and residential and nursing care homes will be permitted where:**

- (a) the development is accessible to local amenities, is located on level terrain (note 1); and**
- (b) an appropriate amount of amenity space is provided (note 2); and**
- (d) the detailed design of residential units and their immediate environment are adequate for the purpose.**

**Where a change of use is proposed, the property must be capable of and suitable for conversion.**

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Note 1

Local amenities and access to public transport should be within easy walking distance, see policy CP 5 (sustainable transport).

Note 2

See policy RC 7 (amenity space in housing developments). Guideline standards for *Amenity Space in Residential Development* are published separately as supplementary planning guidance.

Note 3

Schemes permitted under this policy are exempt from the play space requirements of policy RC 6

Note 4

Planning permission may be subject to conditions restricting the home to particular categories of residents.

Note 5

See policies CP 4 (safe and sustainable living) and CP 7 (design).

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### **Housing for people with disabilities**

- 10.43 The Council adapts its own housing stock to suit the individual needs of occupants with disabilities. The adaptation of private sector housing for disabled occupants is grant aided by the Council, subject to means testing. The Council encourages all housing to be designed to the standards in the *'Designing for Accessibility'*, which is published by the Centre for Accessible Environments.
- 10.44 Further research will be carried out by the Council on the housing needs of physically handicapped people living in the Borough, with a view to matching the requirements of specific individuals to a register of accessible housing and other relevant services.
- 10.45 The Borough Council will seek to meet the housing needs of people with disabilities by:
- giving them priority in the allocation of grants to adapt private sector housing; and
  - assisting housing associations to build to a standard suitable for adaptation for people with disabilities; and
  - adapting appropriate Council accommodation to the individual needs of the occupier; and
  - loans, move-on assistance, and equity release advice, directly or through a service provider.
- In implementing these proposals, the Council will have regard to the limitations imposed by old buildings, many of which are listed.
- 10.46 In the absence of Government legislation or standards which adequately reflect the Council's aim of developing an inclusive environment, access for visitors or residents with disabilities to private sector housing should be addressed. The Council will endeavour to negotiate for all new housing to be accessible to visitors based on evidence of local need, and having regard to local circumstances, for a proportion of new dwellings on suitable sites or in suitable buildings to be built to mobility standards. Such dwellings should be located close to shops and public transport and in an area of level ground.

### **Student accommodation**

- 10.47 The number of full time students in Cheltenham has grown in the last decade, arising principally from the development of the University of Gloucestershire. The University operates some halls of residence, and is seeking to develop more of these. The Council generally supports the provision of more purpose-built student accommodation, although proposals would need to be judged in the light of other relevant local plan policies (although reduced provision of play and amenity space, and car parking provision may often be appropriate).
- 10.48 However, the amount of purpose built accommodation is limited and significant numbers of students are likely to continue seeking rented accommodation in Cheltenham. This will reduce the supply of such accommodation for other people and can cause some nuisance to other local residents.
- 10.49 Under policies HS 3 (subdivision of existing dwellings) and HS 8 (houses in multiple occupation), the change of use of suitable larger dwellings and other buildings to provide self-contained flats or bedsits is facilitated, subject to certain criteria. (Reduced provision of play and amenity space, and car parking provision may be accepted where a section 106 obligation restricts accommodation for occupation by students only). The Council has little scope, however, to influence what will in reality provide much student accommodation; i.e. the sharing of a single dwelling by up to 6 persons living together as a household unit.

## **THE EXISTING HOUSING STOCK**

### **The loss of residential accommodation**

- 10.50 In the context of limited opportunities for housebuilding within the Borough, the retention, improvement and maintenance of the existing stock is vital. Older housing areas have well established communities and the retention of existing housing is often the best way of maintaining community identity. Houses in the town centre also play an important role in providing accommodation close to many social, welfare and transport facilities, by contributing to the vitality and safety of the town centre, and by helping to reduce crime.
- 10.51 The greatest risks to the dwelling stock exist in the town centre and on its fringes where older terraced housing, much of it important to Cheltenham's historic character, suffers from problems of poor condition, high maintenance costs, and lack of amenities. Many older houses are still in good condition, however, and even where this is not the case, improvement can often be cheaper than demolition and new construction.
- 10.52 The erosion of areas which are essentially residential in character by commercial uses, except those ancillary to the residential uses, will be strongly resisted by the Council, especially within those parts of the Cheltenham (Central) Conservation Area just outside the town centre where pressures for change are greatest, and the quiet, residential environment could be seriously harmed by commercial activities. The following policy is applied to minimise the loss of existing dwellings.

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### **POLICY HS 7**

#### **LOSS OF RESIDENTIAL ACCOMMODATION**

Objective O6 and O22

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**Development involving the loss of residential accommodation through the change of use or demolition of existing housing will not be permitted, except where:**

- (a) continued residential use is undesirable because of environmental conditions; or**
- (b) there is evidence that the arrangement of the accommodation and its facilities are very poor and difficult to improve for residential use; or**
- (c) a change of use is necessary to ensure the retention or renovation of a building of architectural or historic interest; or**
- (d) the proposed use would be beneficial to the wider economy and the local community (note) and cannot suitably be accommodated on alternative sites.**

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Note

Services and facilities which support the economy and the needs of local communities will be considered, these may include doctors' or dentists' surgeries, hotels, guest houses, nursing homes, residential institutions, playgroups, children's nurseries and other community facilities such as corner shops. Each case will be judged on its merits, taking into account its effect on the locality.

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### **Vacant dwellings**

- 10.53 At the beginning of April 2006, there were 534 private sector dwellings in the Borough that had been vacant for at least six months (a reduction of 139 since April 2004). The Council is concerned to ensure that dwellings do not remain vacant for long periods and fall into disrepair. Where there is concern about the lack of use deterioration of particular properties, the Council pursues a policy of compulsorily purchasing such properties with a view to ensuring their repair, renovation and re-use as dwellings; providing that there is a clear housing gain from doing so and the owner is given every opportunity to restore the dwelling himself. Since 2000/01, the Council has brought 206 vacant private sector properties back into use following action under its Vacant Housing Strategy. Derelict properties previously in residential use will be considered within the context of policy HS 7.

### **Housing improvement**

- 10.54 In August 2003, Cheltenham Borough Council adopted a housing renewal policy, backed by a fund of £150,000. This policy offers grant assistance to landlords and owner-occupiers to encourage the rehabilitation of vacant properties that are listed on the council tax register as having been vacant for more than one year.
- 10.55 The Council will determine the most satisfactory course of action for dealing with unfit properties and will consider in each case whether closure, demolition, clearance or deferred action are more appropriate alternatives to renovation.
- 10.56 The Council's arm's length management organisation (ALMO) helps to improve the 5,200 homes in its ownership.

### **Houses in Multiple Occupation**

- 10.57 The Council has adopted an intervention strategy for Houses in Multiple Occupation (HMO) which specifies and promotes standards for fire safety, room sizes, overcrowding, the provision of amenities and standards of management. In 1999, it also introduced an HMO Control Registration Scheme, which makes it an offence not to register certain high risk HMO categories.
- 10.58 The purpose of this intervention programme is not to eradicate bedsits and flatlets by upgrading them into self-contained flats, but rather to ensure that they are suitable and safe for habitation. In practice, however, conversion of many bedsits to self-contained flats has resulted in a net loss of available low cost rented accommodation. The Council recognises the importance of HMO-type accommodation, particularly that provided by Registered Social Landlords, in providing low cost easy access housing, and considers that there should not be a bias against permitting new HMO which will provide this type of accommodation, providing that health and safety requirements are met, and that concerns about eroding the character of the conservation areas are assessed.
- 10.59 The Town and Country Planning (Use Classes) Order 1987 (as amended) allows up to six people to share a dwelling without requiring planning permission, provided they live together as a single household. There is evidence of increased use of smaller terraced properties as HMO due to this relaxation, causing environmental and social problems in the locality. A more sympathetic approach by the Council towards the conversion of suitable larger houses in appropriate areas to HMO may, to some extent, mitigate this problem whilst also providing low cost accommodation, for which there is a substantial demand, in a controlled and authorised manner. Accordingly, all proposals for new HMO providing bedsit accommodation with a degree of self containment should satisfy policy HS 3, which states that the subdivision of smaller houses capable of continued single family use, listed buildings or dwellings in the predominantly residential parts of the conservation areas will not be permitted, and also ensure that the impact of more intensive residential use is carefully assessed in order to protect the character of traditional residential areas. In addition, the detailed requirements of policy HS 8 should also be satisfied by new HMO proposals.

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**POLICY HS 8**  
**HOUSES IN MULTIPLE OCCUPATION**

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**Objective O22**

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**The change of use of larger dwellings or other buildings to Houses in Multiple Occupation providing bedsit-type accommodation with some degree of self containment will be permitted where the proposal:**

- (a) complies with policy HS 3 (note 1); and**
  - (b) the property can accommodate the proposed use satisfactorily (note 2); and**
  - (c) an appropriate amount of amenity space is provided (note 3).**
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**Note 1**

HS 3 (subdivision of existing dwellings).

**Note 2**

In addition to planning permission, proposals may need to comply with other statutory health and safety standards.

**Note 3**

The Council will normally expect amenity space provision based on the number of bedsitting rooms available for letting in the property. Where more than 4 bedsits are proposed the Council would expect a higher level of provision commensurate with the number of bed spaces provided (see policy RC 7 (amenity space in housing developments)). Further information on *Amenity Space in Residential Development* has been published separately as supplementary planning guidance.

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- 10.60 The majority of HMO have been created without the benefit of Established Use Certificates, Certificates of Lawful Use or Development (where appropriate) or planning permission and, in most cases, need substantial improvements to meet current minimum standards. HMO without appropriate planning consents, and where the owner is unable to demonstrate that the use has been in existence for more than 10 years, may be subject to planning enforcement action. In these circumstances the owner will first be invited to make an application for retrospective planning permission. Thereafter, in deciding whether to take enforcement action, the Council will look at the degree of compliance with the standards of the Housing Acts, and whether justifiable complaints have been made about the use of the property.

**Home Zones**

- 10.61 Home Zones are residential streets in which the road space is shared between drivers of motor vehicles and other road users, with the wider needs of residents (including pedestrians - particularly older people and children - and cyclists) in mind. The aim, in line with the Government's wider agenda on improving public spaces, is to change the way that streets are used and to improve the quality of life in residential streets by making them places for people, not just for traffic.
- 10.62 Developers should seek to introduce the concept of home zones into residential developments involving new roads.
- 10.63 *Home Zone Design Guidelines* have been published by the Institute of Highway Incorporated Engineers (IHIE) and endorsed by the Department for Transport.

**Amenity space**

- 10.64 Amenity space is an essential and integral element of residential development. It generally comprises green space and planting, which reduces the density of development, softens the urban fabric and provides a setting for buildings; it clearly has a very important role in securing a more attractive townscape and pleasant living environment. The function of amenity space is different from that of play space, hence the separate requirement in policy RC 7 (amenity space in housing developments). However, the Council recognises some amenity space can be suitable for casual play and recreation,

and such should count towards calculations of appropriate provision for both (see supplementary planning guidance on *Play Space in Residential Development*).

# 11 : RETAILING

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## INTRODUCTION

- 11.1 Cheltenham is one of two principal shopping centres in Gloucestershire, the other being Gloucester, and ranks as a major sub-regional centre in a hierarchy of shopping centres. Cheltenham's immediate catchment is drawn from the local population and the eastern half of the county. Gloucester serves the western half. Cheltenham also attracts customers from well beyond the county boundary with its well established reputation for specialised, high quality goods retailers in a pleasant environment. The tourist trade attracted by the character of Cheltenham's shopping centre is a valuable asset to the local economy.
- 11.2 Maintaining the range and quality of shops for which the town has earned its reputation is important to the continued vitality of Cheltenham's retailing sector. A healthy retail trade generates employment and ensures the maintenance of retail premises, which in turn contributes to the conservation of the town's architectural heritage.

## THE STRUCTURE PLAN

- 11.3 The Structure Plan Second Review, states that the health of town centres is an important part of its overall strategy for sustainable development. Policy TC.1 establishes a hierarchy of centres in Gloucestershire, which includes Cheltenham and Gloucester as sub-regional centres, and other district and local centres. The policy seeks to sustain and enhance the vitality, viability and character of existing centres. It promotes provision in centres for shopping, employment, leisure and other uses which generate many trips, as well as mixed use development.
- 11.4 Policy TC.2 incorporates the sequential test for the location of development set out in PPS6, 'Planning for Town Centres'. The plan provides no guidance on the level of additional floorspace likely to be required to meet future demand.

## LOCAL PLAN APPROACH

- 11.5 Within the framework set by the Structure Plan, planning legislation, and government guidance, the Local Plan seeks to allow the market to provide additional retail floorspace in sustainable locations to meet identified need, where interests of acknowledged importance are not harmed.
- 11.6 The Plan:
- places priority on meeting future retail floorspace requirements in the town centre, subject to detailed environmental considerations, in the interests of sustainability and in order to assure its continued vitality and viability;
  - limits non-retail uses in the primary shopping areas in the town centre to preserve their retail character and attraction;
  - allows for out of centre retailing only if the proposed floorspace cannot be located in the Core Commercial Area, would meet an established need, would not cause harm to existing shopping centres, and would not adversely affect the supply of land for other key uses, and is appropriate in design terms;
  - supports local shopping facilities, whilst restricting their expansion into surrounding land uses, and limits the number of non-retail uses to preserve their predominantly retail character.

## RETAIL PROVISION IN CHELTENHAM

- 11.7 Shopping facilities are available throughout Cheltenham, but the principal concentration of stores, especially those selling comparison goods, is in the town centre. The town centre is the largest shopping centre in Gloucestershire, with a total gross floorspace of about 120,680 square metres distributed over 679 outlets. A further 8,361 square metres is located at Jessop Avenue, and planning permission exists for a maximum of 7,000 square metres of A1 and A3 uses on the site of the former Whitbread brewery between High Street and St. Margaret's Road.

- 11.8 There are some 37,600 square metres net of comparison goods floorspace in out of centre locations, principally along and adjoining Tewkesbury Road, including Gallagher and Kingsditch retail parks. In addition, there are 3 superstores providing 9,975 square metres of convenience goods floorspace, at the Gallagher retail park, Tewkesbury Road, and another forming part of Caernarvon Road District Centre.
- 11.9 There are also many local shopping centres, including three district centres (at Coronation Square, Bath Road and Caernarvon Road, which provide a wide range of shops and services, and 26 smaller neighbourhood centres.

## **FUTURE RETAIL DEVELOPMENT**

### **Future retail capacity**

- 11.10 In 2002, the Council commissioned Donaldsons to undertake an analysis of future retail capacity in Cheltenham for the plan period, covering convenience, comparison and bulky goods.
- 11.11 The analysis concluded that:
- for convenience goods, there is no need for further floorspace
  - within the town centre, there is need to identify additional floorspace for unit shops of between 9,900 and 11,800 square metres gross, after existing commitments. This need will arise towards the end of the plan period and Donaldsons recommend that existing committed schemes should be allowed to settle down before further major retail development is undertaken
  - for bulky goods retailing, there is a requirement for between 26,000 and 30,000 square metres gross, although some of this may be met by existing commitments or by additional floorspace within existing sites. Donaldsons conclude that, although the council has the opportunity to allocate land for bulky goods retailing, there is no need to do so and it would be reasonable to rely on criteria based policies.
- 11.12 Based on this analysis, the Council has not allocated any land for retail development at present, but will assess any proposals against Local Plan policies. The position will be kept under review.

### **Location of future retail development**

- 11.13 The government has made clear its intention to work towards ensuring that development and growth are sustainable. Both PPS6 and PPG13 lay emphasis on encouraging land uses which attract a lot of people to locate in positions which are accessible by a regular choice of means of transport. For such uses, including retail, local planning authorities are required to adopt a sequential approach to the selection of sites for development. This means that first preference should be for town centre sites, where suitable sites or buildings suitable for conversion are available, followed by edge of town centre sites, district and local centres and only then out-of-centre sites in locations which are accessible by a regular choice of means of transport.
- 11.14 In Cheltenham town centre, existing shops are concentrated in three main areas; the Central Shopping Area, the Montpellier Shopping Area, and the High Street West End Shopping Area, as shown on the Proposals Map (see also paragraph 11.23 and 11.25).
- 11.15 Two important local factors have to be taken into account in applying the sequential approach. Firstly, it has been the Council's long-standing objective to maintain, so far as possible, the concentration of shopping within these established areas in the interests of shopper convenience. Second is the objective of giving the character of the residential parts of the Cheltenham (Central) Conservation Area additional protection from commercial development. Following the guidelines established in PPS6 which identifies the types of location of retail development, the edge of centre has been defined locally as those areas within a core commercial area which extends beyond the central shopping area of the town. This definition assists in protecting the residential parts of the central conservation area.
- 11.16 In Cheltenham, these particular circumstances have influenced the way in which PPS6's terms 'primary shopping area'; 'town centre' and 'edge of town centre' have been interpreted for the purposes of the sequential test.



- 11.17 First, for retail development, PPS6 defines edge of town centre locations as being within easy walking distance of up to 300 metres of the primary shopping area. Cheltenham central area has three distinctly defined shopping frontages. These shopping areas lie within a more widely defined 'Core Commercial Area', which limits the location of retail development, in order to protect the residential character of the Cheltenham (Central) Conservation Area. Some of the residential parts of the conservation area are within 200 - 300 metres of the defined shopping areas and their primary shopping frontages. For these reasons, policy RT 1, which sets out the sequential approach for retail development, treats the Core Commercial Area as defined on the Proposals Map as equating to a boundary defining the limit for edge-of-centre locations, with the defined shopping areas equating to PPS6's primary shopping areas.

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## **POLICY RT 1**

### ***LOCATION OF RETAIL DEVELOPMENT***

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Objectives O6, O7 and O24

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**Retail development will be permitted, subject to the availability of suitable sites or buildings suitable for conversion, which relate to the role and function of retailing centres and their catchments only in the following sequence of locations:**

- (a) the Central Shopping Area, subject to policy RT 2 (note 3);**
- (b) the Montpellier Shopping Area or the High Street West End Shopping Area, subject to policy RT 2 (note 3);**
- (c) elsewhere within the Core Commercial Area, subject to policy RT 1 (note 3);**
- (d) district or neighbourhood shopping centres, subject to policy RT 3 (note 3);**
- (e) out-of-centre sites which are accessible by a regular choice of means of transport, subject to policies RT 7 and CP 5 (note 3).**

**In considering the location of retail development, developers and operators should demonstrate flexibility and realism in format, design, scale and car parking.**

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#### Note 1

The Core Commercial Area, the Central Shopping Area, the Montpellier Shopping Area, the High Street West End Shopping Area, and district and neighbourhood centres are defined on the Proposals Map.

#### Note 2

The sequential approach will not apply to proposals for retail development within district or neighbourhood centres which are intended to serve only the local catchment of that centre.

#### Note 3

See policies CP 2 (sequential approach to location of development), CP 5 (sustainable transport), RT 2 (retail development in the Core Commercial Area), RT 4 (retail development in local shopping centres), and RT 7 (retail development in out of centre locations).

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## **TOWN CENTRE**

- 11.18 For the purposes of this plan, the town centre of Cheltenham is defined as the Core Commercial Area, the boundary of which is shown on the Proposals Map.
- 11.19 Within this area there is a wide mix of land uses, including a lively and viable shopping centre with an established reputation for high quality, comparison goods, which attracts custom from a wide radius. It also offers a comprehensive range of stores selling basic goods and services for the everyday needs of the local population, which is particularly important for those who rely on public transport or live in and near the town centre. Of the total gross retail floorspace of 120,680 square metres about 54% is comparison (compared with 48% nationally), 5% is convenience (9%), 27% service (29%), 3% miscellaneous (2%), and 11% vacant (12%).
- 11.20 The shopping area of Cheltenham town centre is composed of three distinct sub-areas:
- (1) the Central Shopping Area, which is based on the principal shopping streets of Promenade and High Street.
  - (2) Montpellier, which is a small concentration of high quality specialist shops in an attractive Regency setting on the edge of the town centre.

- (3) High Street West End, which also functions as a local centre for the St. Paul's and St. Peter's residential areas.

### **Central Shopping Area**

- 11.21 The Central Shopping Area is based on a "T" shape formed by the High Street and Promenade. A major advantage of the Regent Arcade is that it provides a link between these two streets, so offering the possibility of a circulatory shopping pattern. The Council wishes to see new retail development consolidate the heart of the Central Shopping Area, rather than exacerbate its linear form with peripheral additions. The advantages of a compact shopping centre are reduced walking distances for customers, efficient and full use of buildings and sites, and greater benefit from improved parking facilities and pedestrianisation schemes.
- 11.22 In providing off highway servicing, developers should take advantage of opportunities to provide access to adjacent properties where this facility does not already exist. If access for servicing can only be obtained via adjacent properties, the possibility of doing so should be investigated. Maximising rear servicing will facilitate achievement of traffic management objectives for the town centre, including pedestrian priority. The Council will also encourage new Central Shopping Area developments to create as many cycle and pedestrian links to other parts of the centre as possible.

### **Montpellier**

- 11.23 The Montpellier area lies to the south-west of the Central Shopping Area, and contains a concentration of small, specialist shops. This area has a particular character derived from its elegant and well preserved Regency architecture, its proximity to the pleasant Montpellier Gardens, and its blend of wine bars, continental style cafes and up-market shops selling specialist designer products, gifts and antiques. The development of 'The Courtyard' has added to this ambience. Montpellier is particularly attractive to visitors to the town.
- 11.24 The Council wishes to see the special character of this area perpetuated, and would not want additional non-retail uses to dilute the retailing element (see policy RT 3 and table 11) or retailing to encroach further into surrounding land uses. To prevent expansion, an outer boundary to the shopping area has been defined on the Proposals Map (Core Commercial Area Inset). Within this boundary, opportunities for new retail floorspace are extremely limited.

### **High Street West End**

- 11.25 High Street West End forms the western fringe of the town centre beyond at the Ambrose Street/High Street junction. It is a well established shopping area with a range of specialist retailers and a large proportion of general stores servicing local custom from the adjacent St. Paul's and St. Peter's areas. The environmental problems caused by an ageing building stock and unsatisfactory traffic and parking arrangements have been compounded by the peripheral nature of the area. Nevertheless the area offers a suitable location for businesses, which cannot afford central area rents, or do not sell comparison goods and therefore do not require a central location. The High Street West End is not an appropriate location for major new shopping developments, but some redevelopment opportunities, particularly for mixed uses, could usefully serve to improve the environment.
- 11.26 In recognition of the environmental and operational problems of the High Street West End, the Council designated it a 'General Improvement Area' (GIA) in 1988, and, in 1996, a Neighbourhood Renewal Area. The Council works with the local community for the regeneration of the area.

### **Vitality and viability**

- 11.27 In their 2002 report, Donaldsons undertook a health check assessment to establish the vitality and viability of the town centre. This used the indicators identified by PPG6, including both quantitative factors (commercial yields, rents, diversity of users, accessibility, environmental structure, retailer representation, vacancies) and qualitative factors (covering attractions, accessibility and amenity).
- 11.28 The assessment concluded that the health of the town centre remained robust, and in some respects had performed well over the last five years. It also highlighted the close relationship between the town centre economic performance and its environmental quality. It advised that, in the face of new threats, it is crucial that Cheltenham should continue to address its strengths and weaknesses and build on the opportunities available.

- 11.29 It is the Council's objective to assure the continued commercial buoyancy of the town centre, through maintaining and enhancing accessibility and the quality of its historic environment.

### **Management**

- 11.30 The town centre is the focus for a multiplicity of services and functions: trade, commerce, social and cultural activity. A clean, secure, efficient and attractive environment in which these activities can take place is a major factor in ensuring their continuation and, hence, an economically viable and socially vital town centre.
- 11.31 Many organisations and operators are involved in the town centre; including businesses, transport companies, the local authority, and the police. The co-ordination of the activities of these organisations on a day to day basis, and towards a long term development strategy, can benefit the town centre. The Cheltenham Business Partnership, comprising the Council and a range of business and commercial organisations, works to promote and enhance the economy of the town and employs a Business Partnership Manager, whose area of responsibility includes the town centre.

### **Retail development**

- 11.32 Shopping provision in the town centre has been consolidated in the last 20 years by modern developments which have offered a quantitative and qualitative improvement. Regent Arcade, which began trading in 1985, offers 17,200 square metres of shopping floorspace in a range of different sized units fronting a long and elegant covered mall. Beechwood Place arcade, opened March 1991, has added a further 6,178 square metres of comparison goods sales area. In Montpellier, The Courtyard has created an attractive complex of small specialist units in pleasant surroundings.
- 11.33 A John Lewis / Waitrose store of 8,361 square metres is located off Jessop Avenue and planning permission has been granted for a maximum of 7,000 square metres of A1/A3 floorspace on the site of the former Whitbread brewery to the north of High Street.
- 11.34 Whilst the Donaldsons' report (see paragraph 11.11) identifies a need for further floorspace in the town centre before 2011, it advises that this will only arise towards the end of this period, and that the John Lewis/Waitrose and Whitbread brewery developments should be allowed to settle down before further development is undertaken. Therefore, the Plan makes no allocations for further retail development in the town centre at this stage. This position will be reviewed after the completion of the Whitbread brewery development.
- 11.35 Policy RT 2 will apply to proposals for retail development within the town centre, to ensure that their environmental impact is acceptable.

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## **POLICY RT 2**

### **RETAIL DEVELOPMENT IN THE CORE COMMERCIAL AREA**

Objectives O2, O3, O11, O24 and O34

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**Retail development will be permitted within the Core Commercial Area only where the proposals:**

- (a) are of a scale appropriate to the Core Commercial Area and the conservation area; and**
- (b) do not result in a net loss of public car parking or sound housing; and**
- (c) make adequate provision for off-highway servicing (note 2), preferably at the rear, where physically possible.**

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Note 1

The Core Commercial Area is defined on the Proposals Map.

Note 2

Including facilities for the storage and collection of refuse.

Note 3

See policies CP 4 (safe and sustainable living), and CP 7 (design).

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### **Non-retail business in the town centre**

- 11.36 Cheltenham's reputation as a high quality shopping centre, which attracts a significant level of visitor and tourist trade, derives to a large extent from the range of shops selling comparison and other, specialised goods, its attractive environment, and the breadth of services provided. It is important to the town centre and the town as a whole that the character and strength of this attraction is maintained and enhanced. Since 1978, the Council has been concerned about the impact of non-shopping uses on the shopping function of the town centre and at that time introduced a policy restricting such uses, which has been a part of the local plan since 1986. In recent years, there have been considerable changes within the financial services and leisure sectors. Many A2 and A3 businesses seek either prime retail positions close to the major traders, or good interceptor positions on important routes into the shopping centre itself. Ground floor premises with window frontages are considered essential by these operations to promote their corporate image. A proliferation or concentration of these types of uses and food and drink premises (Classes A2 and A3 of the Town and Country Planning Act (Use Classes) Order 1987) tends to dilute the A1 retail function. For those shops selling goods where comparison of quality, style or price is usual before purchase, close grouping generates more trade and provides a better facility for shoppers. The interruption of window displays especially of any length can be a serious disruption to the pattern of retail trade.
- 11.37 Cheltenham shopping centre is disadvantaged by its linear form, with the two main shopping streets (High Street and Promenade) being long and straight and adjoining at right angles. To maintain a compact centre, the Council is concerned to preserve and create shopping linkages between these two streets. Linkage was a prime motive in the Council's promotion of Regent Arcade, which functions as a new shopping street. Maintaining a high proportion of A1 retail uses within primary shopping frontages is another means of maintaining the compactness of the retail function.
- 11.38 The Council has identified some 30% of all the frontages in the Central Shopping Area, and a higher proportion in the Montpellier Shopping Area, as those which it considers are vital to the particular character and success of Cheltenham as a shopping centre, and has designated them 'Primary Shopping Frontages' where shopping uses should dominate. These frontages are identified on the Proposals Map, and a list of the properties affected is included in table 11. A 1993 survey showed that 18% of all properties in the Montpellier Defined Frontages and 12% in the Central Shopping Area Defined Frontages were already in non-retail use. To preserve the important shopping character and retail function of the town centre, all changes of use applications will be assessed on their merits having regard to scale, location, concentration and balance, in accordance with Policy RT 3.
- 11.39 In defining the 'Primary Shopping Frontages', the Council has had regard to opportunities for the location of non-shopping uses in the town centre, and concluded that adequate scope exists in the non-primary frontages and in those non-A1 premises within primary frontages at present. Excluded from primary frontage designation are Regent Street, Pittville Street, Winchcombe Street and a long stretch of the south side of High Street opposite Beechwood Place Arcade and east of the entrance to the Regent Arcade. All of these frontages are within the physical heart of the 'Central Shopping Area', as the Council does not consider it appropriate that non-shopping uses should be relegated to the periphery of the centre. No frontages in the Lower High Street Shopping area have been designated as primary.
- 11.40 In considering planning applications in relation to policy RT 3, the Council will have regard, within the Primary Shopping Frontages, to factors relating to vitality and viability, including existing non-A1 uses and vacancies. Where permission is granted, it may be subject to a condition that a window display must be maintained. A window display may also be required where permission is granted for an A1 use.

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### **POLICY RT 3**

#### ***NON-A1 USES IN PRIMARY SHOPPING FRONTAGES***

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#### **Objective O24**

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**Proposals for a change of use from A1 retail use to other uses at ground floor level on Primary Shopping Frontages will only be permitted where they would not adversely affect the vitality and viability of the retail function, taking account of:**

- (a) the size and location of the premises; and**

- (b) the number and distribution of existing non-A1 uses within the frontage run (note 2); and  
(c) the number, distribution and duration of vacancies within the frontage run (note 2).

Note 1

The Primary Shopping Frontages are defined on the Proposals Map and described in table 11.

Note 2

For the purposes of this policy, a frontage run is a continuous length of frontage between roads or other significant breaks.

<b>TABLE 11 PROPERTIES INCLUDED WITHIN PRIMARY SHOPPING FRONTAGES</b>	
<b>CENTRAL SHOPPING AREA</b>	
<b>Promenade</b>	East side 2 - 106 West side 21 - 45
<b>Imperial Circus</b>	East side 1 - 24 West side 1 - 19 and 23
<b>Clarence Street</b>	1 - 7
<b>Ormond Place</b>	4, 5, Unit 1 (Frogmore House), Little Promenade (south side), Moss Bros (Little Promenade)
<b>Regent Street</b>	21 and 23, Unit 2 of No. 50 (Frogmore House)
<b>Lower High Street</b>	South side 200 - 208 North side 201 - 231
<b>High Street</b>	South side 134 - 162 and return to Regent Street 164 and return to Regent Street – 196  North side 101 - 155 and return to Winchcombe Street 157/159 and return to Winchcombe Street - 189 and return to Pittville Street 191 and return to Pittville Street - 199
<b>MONTPELLIER</b>	
<b>Montpellier Walk</b>	1 - 25
<b>Montpellier Street / Rotunda Terrace</b>	1 - 19
<b>The Courtyard</b>	Upper ground floor only
<b>Queens' Circus</b>	1 – 12

### **Amalgamation or division of existing shops**

- 11.41 In Montpellier and the Promenade, both of which have a high proportion of Listed Buildings, the amalgamation or division of existing shops to form larger units could adversely affect the character and appearance of the Central Conservation Area, in terms of the scale or extent of fascias and signs as well as the character of the buildings involved. Therefore, any proposals for the amalgamation or division of shops in these areas will be assessed rigorously in relation to policy BE 9 (alteration of listed buildings), as appropriate. The Council will also have regard to its *Shopfront Design Guide* (published as Supplementary Planning Guidance).

### **The retail environment**

- 11.42 The Council recognises the importance of the high environmental quality of the town centre in supporting the retail function and is committed to its maintenance and enhancement.
- 11.43 In their report on the town centre, Donaldsons recommended that the identity of 'over-extended' retail areas be clarified by emphasising the distinctiveness of the different shopping areas, through the use of street furniture, signing and landscaping. Donaldsons also recommended improving the linkages between them. In addition to these objectives, the Council will seek to enhance the public realm within the context of the draft *Urban Design Framework* and Civic Pride proposals.
- 11.44 A key element in improving the public realm is the policy of introducing pedestrian priority into the principal shopping streets. Pedestrianisation of the eastern end of the High Street was completed in 1977, part of Promenade in 1989, a further sections of High Street (with part of Regent Street) in 1994 and 2003 (with part of Cambray Place). The removal of traffic from these streets presents the opportunity to undertake significant environmental enhancement works, so improving the appearance of the town centre. Further pedestrianisation schemes are being developed through Civic Pride Proposals.

### **Accessibility**

- 11.45 Access, car parking and traffic management all have a direct impact on the performance of the town centre. Donaldsons have advised that Cheltenham's highway network and the related one-way system in the town centre can be confusing to occasional visitors, although this problem has been addressed to some degree in recent years by improved signing. The Council intends to ensure that good access to the town centre is provided for all modes of transport, and that attractive and safe car parking is provided for short-stay shoppers.
- 11.46 The Council is particularly concerned to ensure that people with disabilities are able to enjoy proper access to and around the town centre and into the shops. Access issues are considered by the Council by the Building Control division. Further support is provided through funding to the Cheltenham Shopmobility scheme. The Council's *Shopfront Design Guide* sets out developers' responsibilities for making new shops accessible to people with disabilities.
- 11.47 The Borough Council will take account of the needs of shoppers with disabilities in the town centre in the discharge of their duties, and will pursue schemes for improving mobility for these people.

### **LOCAL SHOPPING FACILITIES**

- 11.48 Local shopping facilities are available throughout the urban area, complementing retail provision in the town centre. These facilities are easily accessible to less mobile sectors of the population who cannot conveniently reach the town centre and, therefore, provide a valuable social service. The Council considers that for the benefit of the community, the loss of local shopping facilities should be resisted.
- 11.49 Local shopping facilities exist in a variety of forms: District and neighbourhood centres are shown on the Proposals Map, and in more detail in appendix 6. District Centres are of a size to offer a reasonable range of shops, and custom is drawn from beyond the immediate locality. Neighbourhood centres in the Borough, comprise small groups of shops selling mainly convenience goods and providing local services for the surrounding residential town.

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#### **POLICY RT 4**

#### ***RETAIL DEVELOPMENT IN LOCAL SHOPPING CENTRES***

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#### **Objective O25**

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**Proposals for retail development within the defined boundaries of district and neighbourhood centres will be permitted, provided that the development:**

- (a) is appropriate in scale and function to the centre; and**
- (b) individually or in conjunction with other completed or permitted retail development would not harm the vitality and viability of the town centre as a whole; and**
- (c) would not conflict with the movement of through traffic on a main highway where on-street servicing is the only option; and**

**(d) would not result in an unacceptable concentration of casual on-street parking.**

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Note 1

The boundaries of district and neighbourhood centres are defined on the Proposals Map, amplified by plans included in appendix 6.

Note 2

The main highway network is identified on plans 9 and 10; it consists of trunk roads, principal roads and important non-principal roads.

Note 3

See policies CP 4 (safe and sustainable living) and CP 7 (design).

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- 11.50 Non-retail businesses in local shopping centres have a considerably greater impact than in a larger shopping area, seriously reducing the number and variety of local shops. A proportion of one non-retail business in five units is considered by the Council to be a reasonable balance. This figure allows a broad range of non-retail services in larger centres, and reduces the risk of their dominating or replacing the retail function in smaller centres, and has been applied effectively since 1986. However, the Council may allow a non-A1 proposal beyond 20% of the number of units of a centre where the Council is persuaded that to do so would not cause harm to the retail character of the centre or reduce the range of shops to the disadvantage of the local community.

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**POLICY RT 5**

***NON- A1 USES IN LOCAL SHOPPING CENTRES***

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Objective O25

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**A change of use from A1 retail to other uses on the ground floor of district and neighbourhood centres beyond 20% of the number of units in the centre will not be permitted, unless:**

- (a) it would not cause harm to the retail character of the centre or**
- (b) it would not reduce the range of shops to the disadvantage of the local community (note 2);**  
**or**
- (c) the centre contains four or fewer shops, in which case the limit will be 1 non-retail unit.**

Note 1

District and neighbourhood shopping centres are shown on the Proposals Map.

Note 2

Applicants will be required to provide an independent justification.

Note 3

Evidence will be required to demonstrate demand; this may include details of past advertising, vacancy levels, and rent levels. This list is not exhaustive and further information may be requested.

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- 11.51 The Council is concerned to protect the viability of established district and neighbourhood shopping centres. Therefore the following policy will apply.

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**POLICY RT 6**

***NEW LOCAL SHOPPING CENTRES***

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Objective O25

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**Proposals for new local shopping centres will only be permitted in an area of identified deficiency.**

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- 11.52 Some local centres, particularly Bath Road, Coronation Square and London Road (Charlton Kings) suffer from a variety of environmental and traffic problems. Where possible, the Council wishes to see improvements to these centres, and will undertake investigative studies with a view to making detailed proposals.

## **OUT OF CENTRE RETAIL DEVELOPMENT**

- 11.53 In 2002, Cheltenham had some 37,600 square metres of net comparison floorspace in out of centre stores, mostly in or adjacent to the Gallagher and Kingsditch Retail Parks on Tewkesbury Road.
- 11.54 In accordance with Structure Plan policy TC.2, PPS6, and the Borough Council's stated objective of assuring that pre-eminence of the town centre, emphasis will be placed on meeting future retailing floorspace requirements there. Development on out-of-centre sites will only be permitted where no suitable sites or buildings suitable for conversion are available in the Core Commercial Area or in district or neighbouring shopping centres, in accordance with policy RT 1, where a need for additional facilities has been demonstrated, and where it does not harm other interests of acknowledged importance, in particular, the vitality and viability of the town centre or a district or neighbourhood centre, and the provision of employment land within the Borough (see policy EM 2 and PPS6 paragraph 3.13). The Borough may require a statement of need and or a retail impact assessment before a planning application for out-of-centre retail development can be determined (see Supplementary Planning Guidance on *Submission of Planning Applications*).

### **The vitality and viability of existing shopping centres**

- 11.55 Commercial competition is not a land use consideration and, as government guidance on new retail development states, "It is not the role of the planning system to restrict competition, preserve existing commercial interests or to prevent innovation." (PPS6). However, the implications of a proposed out of centre retail scheme in combination with any others, including commitments, for the vitality and viability of the town centre as a whole and on local shopping facilities must be carefully considered. The issue is whether, when considered in this way, the proposal would result in a significant increase in the number of vacant properties, or a marked reduction in the range of services available, which could result in a centre's physical, commercial and social demise.

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## **POLICY RT 7**

### **RETAIL DEVELOPMENT IN OUT OF CENTRE LOCATIONS**

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Objective O6 and O24

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**Subject to policy RT 1, retail development (note 2) outside defined shopping areas will be permitted only where:**

**(a) a need for the additional floorspace has been demonstrated (note 3),**

**and the proposals:**

**(b) individually or in conjunction with other completed and permitted retail development, would not harm the vitality and viability of the town centre as a whole or of a district or neighbourhood centre;**

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#### Note 1

See policies CP 4 (safe and sustainable living), CP 5 (sustainable transport), GE 1 (public green space), HS 7 (loss of residential accommodation), EM 2 (safeguarding of employment land), and RT 1 (location of retail development).

#### Note 2

This includes new stores and extensions to existing stores.

#### Note 3

The requirement to demonstrate need is based on the Ministerial statement of 14.2.99, and should cover quantitative and qualitative factors (the quality and range of existing shopping facilities in the area and the available expenditure floorspace capacity), and any other material considerations.

#### Note 4

Defined shopping areas are the Central Shopping Area, the Montpellier Shopping area, the West End Shopping area, district and neighbourhood centres, which are shown on the Proposals Map.

#### Note 5

This policy does not apply to small convenience type shops, which are subject to policy RT 8.

#### Note 6

To prevent the uncontrolled change of out-of-centre stores, appropriate conditions will be attached to planning permission to restrict the use of the floorspace to the retailing of the type of goods for which consent is being given, particularly where a retail impact assessment has not been requested.



Note 7

Land defined as being for public green space is shown on the Proposals Map.

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### **Design of out of centre development**

- 11.56 Large out of centre developments, whether single stores or retail parks, can have a significant impact on the townscape and character of an area. They often locate at the edge of town or on the main approach roads to the town centre where they are highly visible, helping to create the first impression of the town.
- 11.57 However well designed an individual building may be, the volume and simple massing of a large store, usually with few windows, and associated areas of car parking can make it hard to complement more compact urban forms or to create an attractive townscape.
- 11.58 Therefore, where permission is sought for out of centre retail development, the Council will expect the developer to have taken an urban design approach to the proposal, reflecting the principles of the Council's draft *Urban Design Framework*. Where appropriate an Urban Design Appraisal/statement will be required (see Supplementary Planning Guidance on *Submission of Planning Applications*).
- 11.59 A mixed use development may also be required (see policy CP 6 mixed use development) both to make the best use of the site and to achieve a satisfactory urban design solution.

### **Individual convenience shops**

- 11.60 There are many individual convenience shops scattered throughout the town, providing a useful supplement to the other shopping centres. These serve very localised, day to day needs, have valuable social benefits, and help to maintain sustainable communities. The Council will encourage the establishment of individual convenience type shops, where they would not cause harm to residential amenity or to residential character in conservation areas, and will resist the loss of existing shops unless they are clearly no longer viable as businesses or there are other shops within a walking distance of 500 metres.

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## **POLICY RT 8**

### **INDIVIDUAL CONVENIENCE SHOPS**

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Objective O25

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**Proposals for new retail floorspace of up to 100 square metres will be permitted outside the defined shopping areas.**

**The change of use of existing shops outside the defined shopping areas will not be permitted, except where:**

- (a) the continued use of the building or land is not viable (note 3); or**  
**(b) there are other shops within a walking distance of 500 metres.**
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Note 1

Defined shopping areas are the Central Shopping Area, the Montpellier Shopping area, the West End Shopping area, district and neighbourhood centres, which are shown on the Proposals Map.

Note 2

See Policy CP 4 (safe and sustainable living) and BE 2 (residential character in conservation areas).

Note 3

In assessing viability, the Council will have regard to the location, physical condition and costs of maintenance of the premises, the direct costs of the business, and the likely commercial rate of return on investment.

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- 11.61 Existing shops provide a valuable local service for day to day needs, contributing to sustainable communities.

## **OTHER RETAIL CONSIDERATIONS**

### **Retail warehouse use of car showrooms**

- 11.62 Planning permission is not required for a change in the use of premises for the sale, or display for sale, of motor vehicles to general retail use. Car showrooms are often located within industrial areas and estates, and the Council would not wish to see the encroachment of large retail stores with the consequent loss of non-retail employment land. The Council wishes to exercise detailed planning control over the incidence and location of new retail warehousing to prevent any adverse impact upon interests of acknowledged importance; the town centre shopping areas, employment generating land and the environment. In pursuit of this policy, the future use of motor vehicle showrooms will be brought under specific planning control.

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### **POLICY RT 9**

#### **CAR SALES**

Objectives O24 and O25

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**Planning permissions for premises for the sale and/or display of motor vehicles will be restricted by condition to those specific uses.**

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### **Markets**

- 11.63 Markets are a useful ancillary form of retailing, providing goods at lower prices than those in the shops where higher overhead costs have to be absorbed. A number of markets currently operate within the Borough, at Henrietta Street car park, Coronation Square, Promenade (farmers' market), and Cheltenham Racecourse.
- 11.64 The establishment and operation of markets is controlled by a licence system operated by the Council under specific market law, not by planning legislation. If a market wishes to operate for more than 14 days per year then planning permission is required. Such applications would be subject to an assessment of all the normal development control criteria regarding potential traffic and environmental problems.
- 11.65 Proposals for a change of use from existing and suitable residential accommodation to a commercial use will not normally be permitted (policy HS 7), except where the ground floor use is not compatible with the continued residential use of upper floors because of problems such as noise and odours, or where security considerations are paramount. The Council would prefer to see tied or associated occupancy of residential units over restaurants, public houses and other places of public entertainment.
- 11.66 In many cases an important factor contributing to the redundancy of upper floors is the lack of independent access. This can be a major disincentive to shop owners to let this floorspace, with their justifiable concerns about security and higher insurance costs. To prevent a further increase in the number of isolated and redundant upper floors, the Council's *Shopfront Design Guide* (published as Supplementary Planning Guidance) requires that any existing entrances to upper storeys must be incorporated into new or replacement shopfronts. Where the shopfront installation is part of a wider refurbishment or re-development of the building, the Council may require the introduction of a new front access.

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### **POLICY RT 10**

#### **ACCESS TO UPPER FLOORS OF COMMERCIAL PREMISES**

Objectives O6 and O7

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**Shopfront proposals which involve the loss of ground floor entrances to upper floors will not be permitted. Proposals involving the redevelopment or refurbishment of shops should include provision for independent ground floor access to upper floors, where this is physically possible.**

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### **Shop fronts**

- 11.67 The high quality, comprehensive shopping facilities set in pleasant surroundings which Cheltenham offers are an important part of the town's attraction to residents and visitors. Shopfronts are an integral part of this scene, and to maintain an attractive environment these should be well designed. The accommodation of modern commercial activities in historic buildings requires particular sensitivity. The Council's *Shopfront Design Guide* is intended to encourage greater care and a higher standard in the design of shopfronts throughout the town.

# 12 : CULTURE AND RECREATION

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## INTRODUCTION

- 12.1 Cultural opportunities within Cheltenham are available formally through both public and private sport and leisure facilities, and informally through the wide ranging public open spaces both within the urban area and the wider countryside surrounding the town. These facilities enable the community and visitors to enjoy fresh air and exercise. To assist the Council in identifying existing facilities and new opportunities for culture, the Council has prepared '*Cheltenham's Cultural Strategy: 2001 - 2006*'. The strategy considers how services and facilities are provided, how these may be improved, and identifies opportunities, which will promote a healthy environment and improve quality of life.
- 12.2 In March 1994, the Council approved a '*Green Care Strategy*' which is intended "*to provide a sustainable framework for the balanced provision, use and management of the publically controlled and accessible green environment.*" This document will be updated by the Green Spaces Strategy, and informed by the Urban Green Task Force report, '*Green Spaces, Better Places*' (see Urban Green Environment chapter).
- 12.3 In June 1998, the Council approved a '*Sports Strategy for Cheltenham*' which set out the strategic framework within which the Council will work to promote and develop sport. This strategy is scheduled to be revised (2007) and will reflect the vision of Sport England and the priorities of Cheltenham Community Plan in determining the long term sports needs of Cheltenham.
- 12.4 PPG 17 – Planning for Open Space, Sport and Recreation (2002) sets out the government's planning objectives for sport and recreation. It says:  
*'Open spaces, sport and recreation all underpin people's quality of life. Well designed and implemented planning policies for open space, sport and recreation are therefore fundamental to delivering broader Government objectives.*
- These include:*
- *supporting an urban renaissance*
  - *supporting a rural renewal*
  - *promotion of social inclusion and community cohesion*
  - *health and well being*
  - *promoting more sustainable development'*
- 12.5 This Plan is intended to reflect government objectives for culture, sport and recreation in land use terms, and Cheltenham's Community Plan, through the implementation of the Council's Cultural, Sport, and Green Spaces strategies. Policies have been included to protect existing cultural, physical recreation and leisure facilities from redevelopment, to support proposals for new, to promote greater use of existing resources, and bring forward new open spaces in association with development. All of these policies are intended to encourage greater participation, and foster the health and well being of the community through the provision of greater opportunity.

## THE STRUCTURE PLAN

- 12.6 The Structure Plan Second Review acknowledges the importance of recreation and seeks to provide for the recreational needs of residents and visitors within the urban and rural areas of Gloucestershire.
- 12.7 Structure Plan policies:
- protect existing recreational facilities and encourage the provision of additional facilities which will meet local and sub-regional needs (policy RE 1)
  - protect existing open spaces and playing fields, and require the provision of open space in association with new development (policy RE 2) and
  - encourage improved public access to the countryside (policy RE 3).

## LOCAL PLAN APPROACH

- 12.8 In support of the Structure Plan approach, the broad intent of the Council's cultural and recreational policies and proposals is to secure adequate provision for the Borough's varied requirements to 2011, with the aim also of increasing participation and fulfilment; promoting health and well being, and supporting the development at appropriate sites of private recreation and leisure facilities with a wider catchment than the Borough.
- 12.9 It is anticipated that this will be achieved through a combination of:
- direct Council provision.
  - private sector schemes.
  - joint Council and private sector or County Council projects.
  - negotiation of public access to private open space.
  - negotiation of the community use of playing fields, indoor sports halls and other suitable facilities in educational use and in private ownership.
  - working with Local Strategic Partnerships.

## CULTURAL AND RECREATIONAL FACILITIES

- 12.10 Cheltenham's Community Plan makes a commitment to assist residents of the town to live life to the full which can be supported by cultural and recreational activities, such as indoor and outdoor sports, the use of public green spaces and playgrounds for informal play, and allotment gardening. With trends towards increased amounts of leisure time and more sophisticated demands from the population for ways in which to occupy that time, the Council is committed to enabling wide community participation in cultural opportunities.
- 12.11 Young people would like to see the provision of activities, such as skateboarding parks. Young and old alike would like to see facilities such as concert and dance venues, ice skating and indoor bowling centre.

### Community Venues

- 12.12 The Council appreciates that a large proportion of people's leisure time is spent on pastimes such as evening classes and club meetings, for which suitable venues are essential. The Borough Council recognises that the availability of suitable premises can be an important factor in the quality of local community life. Policy RC 1 seeks to protect existing facilities from redevelopment and to promote new facilities.

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### POLICY RC 1

#### **EXISTING COMMUNITY FACILITIES**

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Objectives O5, O6 and O29

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**Development that leads to a loss of land or premises which meet the needs of the community will not be permitted, unless:**

- (a) the use is replaced within the new development (note 1); or**
  - (b) alternative provision is made in an appropriate location; or**
  - (c) there is no longer a need for the site to remain in community use (note 2).**
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Note 1

Replacement facilities will be expected to be of comparable quality and easily accessible by means of transport other than the private car.

Note 2

The Borough Council will require development proposals which include loss of land/premises for community use to demonstrate that:

- (a) the facility is no longer viable; or
  - (b) there is no demand for the existing facility; or
  - (c) adequate facilities are available which are easily accessible and meet the needs of the community.
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- 12.13 Generally, the Council will support the provision of new cultural facilities or places of worship which meet the needs of the community where there are no overriding objections, and may seek contributions

from developers towards their provision (see policy CP 8 provision of necessary infrastructure and facilities and Supplementary Planning Guidance on *Planning Obligations*).

### **Town centre night clubs and licensed premises**

- 12.14 Whilst the Council supports the provision of a wide range of recreational facilities, it will be concerned to ensure that the mix and location of facilities do not cause harm to the amenity of residential environments, from factors such as noise, traffic, anti-social behaviour, and refuse. The Council will seek to protect the visual appearance of a conservation area, and the ambience and safety of the town centre. The Council will not permit proposals which are likely to give rise to such problems.
- 12.15 A change of use to a night club or licensed premise will require a planning application for a change of use under the Use Classes Order (1995) (as amended). Night clubs are controlled under the new provisions, by virtue of falling outside a use class and as such will require a change to or from a night club use.
- 12.16 The Borough Council will seek developer contributions from all new proposals; and existing businesses wishing to expand, alter hours or change the nature of their business to help fund measures to ensure a positive contribution to the night time economy of Cheltenham.
- 12.17 In determining planning applications, the Council will take account of the potential impact of a proposal both individually and in conjunction with other existing or proposed facilities. Proposals should be located where they are close to good public transport and taxi services at closing time.

## **INDOOR SPORTS FACILITIES**

### **Council indoor sports facilities**

- 12.18 Direct provision of indoor facilities by the Council is focused on the Leisure@ Cheltenham Centre at Pittville. This centre provides a multi purpose indoor sports and leisure hall and swimming pool. In 2003, the Council completed a £5.7 million redevelopment of the swimming pool to provide for the refurbishment of the existing three pools, the creation of additional swimming space, new changing area; and new health and fitness facilities. Ancillary facilities are also provided at the Centre, providing saunas, a tanning centre, beauty treatments, children's soft play area, crèche and a café.
- 12.19 Adjacent to Leisure@Cheltenham Centre is the 'Prince of Wales Stadium', which has primary sports facility provision comprising an 8 lane athletic track, a rugby pitch and training pitch. The Prince of Wales Stadium is the home for Cheltenham's athletic and rugby clubs. In addition to its outdoor arena, the Stadium has a weight training area and small hall used for indoor athletics training, disabled sports and fitness classes.
- 12.20 Cheltenham boasts one of the country's finest open air pools. Sandford Pools, known locally as the 'Lido', was built in 1935. The pool complex is currently managed by a Trust and is only open through the summer period.
- 12.21 Sport England considers the provision of public sports halls and indoor pools to be one of the most effective methods of promoting greater levels of mass participation in sport and recreation. Basic community facilities such as these serve to satisfy most areas of demand. Sports requiring very specialised facilities tend to be provided for in the private sector, or through partnership arrangements with National Governing Bodies of Sport (NGBs) and individual sports clubs. The Council will continue to channel available funds towards the direct provision and enhancement of basic community indoor sports facilities, taking particular note of the needs of those who are not provided for by the private sector.
- 12.22 The Council is committed to increasing participation in sport and enabling greater use of the available facilities, through the delivery of its comprehensive sports development programme. The Council's sports strategy identifies a number of priority sports and target groups, and forms the basis of the Council's support and development of sport in Cheltenham. Most of this work will be achieved without the need for land and capital investment to construct new facilities, the intention being to maximise use of existing facilities. Identifying areas where the promotion of sport can be enhanced is a key component of the sport development programme. This will be informed by the Playing Pitch Assessment which includes an action plan for the provision and improvement of sports facilities in the period up to 2020.

### **Community Sports Partnerships: public access to indoor sports facilities in private and educational use**

- 12.23 Community Sports Partnerships are primarily sports facilities provided at school premises for school purposes, but which are also made available to the community in the evenings, at week-ends, and during school holidays. Community Sport Partnerships are the main source of provision outside Council owned indoor/ outdoor facilities and sports pitches, and are in place at the following schools:
- Bournside School, Warden Hill Road;
  - Balcarras School, East End Road, Charlton Kings;
  - St. Benedicts Specialist Sports College;
  - Pittville School.
- 12.24 The Council provides each partnership with a strategic framework in which to develop. This is supported by additional advice and strategic direction in respect of the production and delivery of sports development programmes. In addition the Council acts as a formal link between the partnerships and national bodies, providing a flow of information in regard to policy, programmes, initiatives and funding opportunities.
- 12.25 Further opportunities for enhancing accessibility to community use of sport and recreation facilities exist at colleges and other establishments. As part of a more business orientated approach, several schools and colleges have developed public use of their facilities.
- 12.26 Arrangements permitting the public use of facilities not normally publicly available and which would otherwise not be used to full potential is a very cost effective means of providing sports facilities and one which the Council will continue to encourage

### **Private indoor sports facilities**

- 12.27 While the Council will seek to ensure that a range of sports facilities is available to meet demand through direct provision and community sports partnerships, it also acknowledges the popularity of fitness clubs and indoor leisure centres, and the contribution of the private sector towards meeting demand. The Council will monitor supply of facilities provided by the private sector over the plan period.

### **OUTDOOR PLAYING SPACE**

- 12.28 Outdoor playing space is provided specifically for sport, active recreation and/or children's play, unlike amenity open space which, while often affording opportunities for passive or informal recreation, is not provided principally for recreational purposes.
- 12.29 To assist the Council in assessing the provision of outdoor playing space available within the Borough, the Council appointed consultants to undertake a '*Playing Pitch Assessment*'. This assessment sought to inform the Council on how it could meet the vision of:

*'providing an appropriate distribution of a range of quality outdoor sports facilities by 2020 which will sustain a growing sporting community and provide opportunities for participation for all the Borough's residents.'*

- 12.30 The assessment considered supply and demand for outdoor sports facilities in the context of the Borough and the wider travel to play area (see paragraph 12.38). In considering demand for sports facilities the assessment identified current and suppressed demand identified through consultation with key interest groups such as, sports clubs, schools, and sports leagues, and identification of inadequate pitches and associated facilities.
- 12.31 Playing pitches are just one element of outdoor playing space, other facilities include sites which may accommodate activities such as skateboarding and skating, tennis and athletics. The Council will undertake a comprehensive audit and assessment of open spaces and outdoor recreational provision within the borough, in accordance with the recommendations of PPG17, as part of its Green Space Strategy.

### **Minimum standards of provision**

- 12.32 National Playing Fields Association (NPFA) has devised a minimum standard for outdoor playing space of 2.4 hectares (6 acres) per 1,000 population which it recommends for adoption by all local planning authorities.
- 12.33 The NPFA standard is based on a quantitative analysis of the provision of outdoor playing space. The '*Playing Pitch Assessment*' has considered the NPFA standard for youth and adult playing space against local need, identifying the qualitative issues and the improvements that are required on a site by site and sport by sport basis within the Borough and the wider 'travel to play area'. The Assessment concluded that the Borough Council should adopt a local standard, which takes into account the current level of outdoor playing provision, and additional provision required to meet latent/suppressed demand.
- 12.34 The overall minimum local standard of 2.65 hectares (6.5 acres) comprises the following elements, within the ranges specified:
- (a) **YOUTH AND ADULT OUTDOOR PLAYING SPACE FOR SPORT**  
1.85 - 1.96 hectares (4.5 - 4.8 acres)
- (i) facilities such as pitches, greens, courts, athletics tracks and miscellaneous sites such as croquet lawns and training areas owned by local authorities, whether at county, district or parish level;
  - (ii) facilities described in (i) within the educational sector and which, as a matter of practice and policy, are available for public use;
  - (iii) facilities described in (i) which are within the voluntary, private, industrial and commercial sectors, and serve the leisure needs for outdoor recreation of their members, or the public.
- [Note: Included within the broad 2.65 hectares (6.5 acres) standard is a specific allocation of 1.75 hectares (4.0 acres) per 1000 population for pitch sports.]
- (b) **CHILDREN'S OUTDOOR PLAYING SPACE** 0.6 - 0.8 hectares (1.5 - 2 acres)
- (i) outdoor equipped playgrounds for children of whatever age;
  - (ii) other designated play facilities for children which offer specific opportunity for outdoor play, such as adventure playgrounds;
  - (iii) casual or informal playing space within housing areas.
- 12.35 Children's outdoor playing space is expressed as a minimum standard. Where material circumstances indicate otherwise this requirement may be increased to reflect specific local need and shortfall of play space. The Council has undertaken an audit of children's play space to inform this process (see Supplementary Planning Guidance on *Play Space in Residential Development*).
- 12.36 The provision of outdoor playing space, together with casual play space (see paragraph 12.51), and amenity space (see paragraph 12.57) will be monitored over the plan period against Accessible Greenspace Standards adopted by English Nature. Sites to be monitored will be those that provide areas of green natural space in addition to formal play areas (see Urban Green Environment chapter).

### **YOUTH AND ADULT OUTDOOR PLAYING SPACE**

- 12.37 In respect of the use of youth and adult outdoor playing facilities, the Borough boundary is an artificial administrative boundary. Facilities within the Borough are used by a larger catchment population than the Borough population, who in turn make use of facilities outside the town. Accessibility is not usually as critical as it is in the use and provision of children's' play space; adults are able and prepared to travel to playing facilities, and they exercise choice in the club they play for or the facility they use. This interrelationship between population and facilities over a wider area than the Borough was recognised when the Council first carried out a comprehensive assessment of sports pitch supply and demand in the Cheltenham area in 1982/83, and reaffirmed by the Playing Pitch Assessment and Strategy (2002). The 'travel to play area' is shown on plan 5.



<b>TABLE 12 YOUTH AND ADULT OUTDOOR PLAYING SPACE SUPPLY, RELATIVE TO LOCAL STANDARD (2002)</b>				
	<b>Playing Pitches</b>		<b>Non-Pitch Facilities</b>	
	<b>Hectares</b>	<b>(Acres)</b>	<b>Hectares</b>	<b>(Acres)</b>
Local standard	1.75	(4)	0.1	(0.3)
Cheltenham Borough requirement; based on a population of 110,013*	193	(477)	11	(27)
Cheltenham Borough provision	154	(381)	9.5	(23)
<b>Deficit/Credit in Cheltenham Borough</b>	<b>-39</b>	<b>(-96)</b>	<b>-1.5</b>	<b>(-4)</b>
Local standard	1.97	(4.9)	0.1	(0.3)
'Travel to Play Area' requirement; based on a population of 126,725**	249	(615)	12.7	(31)
'Travel to Play Area' provision	205	(506)	11	(27)
<b>Deficit/Credit in Cheltenham 'Travel to Play Area'</b>	<b>-44</b>	<b>(-109)</b>	<b>-1.7</b>	<b>(-4)</b>

\* Population figure is 2001 Census  
\*\*The 'Travel to Play Area' includes Cheltenham Borough and a hinterland beyond (parishes of Bishops Cleeve, Woodmancote, Uckington, Southam, Shurdington and Badgeworth).

- 12.38 Provision of playing pitches within both Cheltenham Borough and the wider 'travel to play area' is well below the minimum local standard for Cheltenham (see table 12). Cheltenham Borough boundary corresponds broadly with the limits of the urban area, within which there is a large concentration of population (110,013 people - 2001 Census). It is evident from the very intensive levels of use that sports pitches in the town experience that the shortfall is not a theoretical mismatch between supply and demand, but is expressed in physical terms, in the number of inadequate playing surfaces and ancillary facilities. The Playing Pitch Assessment and Strategy notes that poor quality facilities across the range of outdoor play facilities offered in the town suppress demand for sport. Evidently there is a need to protect and improve the quality and accessibility of existing facilities, identify phased and targeted investment opportunities and provide new sites to meet latent and suppressed demand identified by the Playing Pitch Assessment.
- 12.39 Whilst the important contribution of sports facilities within 'the travel to play area' is recognised, provision within this zone is not a substitute for provision within the town. Proposals for new facilities will be assessed against the principles of sustainability, design, safety and security, and social inclusion (see Core Policies chapter).
- 12.40 The following policy will apply inter alia to educational playing facilities, which are secured for public use through a formal agreement. Those, which are not so secured, are specifically excluded from the local standard as being in educational use not recreational use, and policy RC 2 will not apply. This policy should be read in conjunction with policy GE 2 of the Urban Green Environment chapter, which resists the development of open spaces of significant townscape and environmental value.

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**POLICY RC 2  
YOUTH AND ADULT OUTDOOR PLAYING FACILITIES**

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Objective O26

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**Development which involves the loss of youth and adult outdoor playing facilities in public or private ownership (note 1) will only be permitted where:**

- (a) facilities are not identified in the Playing Pitch Assessment as a resource meeting a recognised or expressed need, and where it can be demonstrated that land is not of value to the community (note 1); or

- (b) provision for youth and adult playing space is not reduced below Cheltenham Borough's local standard (note 2); and
- (c) there is no significant reduction in current and future opportunities for participation in sport (note 3); or
- (d) compensatory provision is made which would provide similar, or improved facilities accessible by walking and cycling to existing and anticipated new users.

Note 1

In cases where a playing field is not currently in active use, but is capable of such, the Council will not accept that the field is redundant without evidence of exhaustive and unsuccessful attempts to find another user at a price reflecting the recreational use value of the land.

Note 2

Provision of facilities, wherever possible and relevant, will be assessed in relation to both the Borough and 'Travel to Play Area.'

Note 3

In making its assessment of the impact of proposals, the Council will consult with relevant sports authorities on current and future demand for facilities. The Council will also have regard to a user survey of a threatened facility, and to the availability, accessibility, distribution and quality of alternative facilities and their current level of use.

- 12.41 In addition to protecting existing facilities, the Council will seek the provision of additional, to meet the identified shortfall of 44 hectares of playing pitches and 1.7 hectares of non-pitch facilities below the local standard for Cheltenham.

### **Outdoor playing space in educational use**

- 12.42 Outdoor playing facilities in educational use, private and public, which are not also available for recreational use by the general public by virtue of a formal dual use agreement, are specifically excluded from the local standard.
- 12.43 The amenity value of school and college outdoor playing space, particularly playing fields, is often considerable. It may contribute to the quality and character of the local townscape and may form part of the proposed town-wide Green Spaces Strategy (see Urban Green Environment chapter). For these reasons, policy GE 2, which protects green space in the urban environment for townscape and environmental reasons, may apply.
- 12.44 The Council is concerned, however, that educational playing fields and facilities should be retained for their primary purpose, not purely for their amenity value. These were provided for the physical education of children and young people, to assist in their general health and well-being and to cultivate team spirit.
- 12.45 Falling school rolls have enabled education authorities generally to declare playing fields and other outdoor play space surplus to their requirements, and dispose of them at development value. This activity has been within the Department of Education and Skills Regulations, which specify minimum requirements for playing provision in relation to the age and number of children. However, PPG 17 states:
- 'In advance of an assessment of need, local authorities should give very careful consideration to any planning applications involving development on playing fields.'*
- 12.46 The Council is, in principle, opposed to the disposal of playing fields and other outdoor playing facilities in educational use for non-operational purposes. The Council does, however, acknowledge that the development of some smaller areas of poor townscape value, the loss of which is unlikely to result in a future shortage of land for recreational or other operational requirements, in order to fund school development projects, might be acceptable (see paragraph 10, PPG17). It is recognised in PPG17 that not all outdoor playing space in educational use is of equal value. The open space, land or buildings in recreational use will need to be demonstrated to be surplus to requirements. Such land may be of amenity or townscape value, and perform an important local function in this respect. The benefits of any proposed school development projects are a material consideration in the determination of any planning application.

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**POLICY RC 3**  
**OUTDOOR PLAYING FACILITIES IN EDUCATIONAL USE**

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**Objective O26**

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**The development of playing fields and other outdoor playing facilities in educational use will not be permitted where:**

- (a) the loss is likely to result in a future shortage of land for educational recreation or other operational requirements; or**
  - (b) the proposal is non operational, and the land could make a valuable contribution to meeting an identifiable community need for outdoor play facilities.**
- 

**Note 1**

Operational developments are regarded as being related to the primary function of the establishment; that is, necessary for the education and well-being of pupils/students.

**Note 2**

The change of use of school playing fields which have been used for sport in the last 5 years will require the approval of the Secretary of State for Education. The Secretary of State has the power to call in planning applications for the development of school playing fields, where development would result in a shortage of playing fields for the wider community and where Sport England have objected.

**Note 3**

See Policies CP1 (sustainable development) and CP3 (sustainable environment)

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**Community Sports Partnerships: public access to playing fields and outdoor playing facilities in private and educational use**

- 12.47 In addition to resisting the loss of these playing fields and outdoor facilities, the Council will encourage the County Council and owners of private facilities (whether or not in educational use) to allow wider public access to their grounds and to enter into formal community sports partnership agreements with the Borough Council to this effect (see also paragraph 12.26).

**CHILDREN'S AND YOUNG PEOPLE'S OUTDOOR PLAY SPACE****Equipped and adventure playgrounds**

- 12.48 There are currently some 43 playground sites throughout Cheltenham. These sites are listed in Supplementary Planning Guidance on *Play Space in Residential Development*. The current level of provision of these facilities is well below the NPFA standard. However, quality of life, inclusiveness, ease of access by foot and proximity to residential areas, and therefore distribution of facilities, are far more important criteria than a general town-wide measure of supply when considering the adequacy of provision of equipped and adventure playgrounds. The population units against which provision should be measured are far smaller than those for youth and adult facilities. So, although total supply relative to the Borough population is below the recommended minimum standard, the distribution of playgrounds means that some areas are adequately provided for, while others are deficient in this type of facility.
- 12.49 In considering the distribution of outdoor play space, the Council will look to strike the appropriate balance between the number of sites within the town and their quality. The Council is pursuing, as resources are available, replacement of conventional equipment and surfaces with specialised adventure equipment and safe surfaces, offering a safer but more stimulating environment for children and young people. The quality of facilities is an important consideration; uninteresting or dangerous playgrounds will be little used. The needs of children and young people with disabilities will be taken into account.
- 12.50 The Council is committed to increasing the number of playgrounds in addition to improving the quality of equipment and surfacing provided at existing. New Council provision will be targeted in areas of under supply. The Council will also require new provision in association with private sector residential development, where appropriate (see policy RC 6). The Council has prepared Supplementary Planning Guidance on the provision of *Play Space in Residential Development*, together with a children's play strategy '*Play and free time strategy for children and young people in Cheltenham*' (2005 – 2008).

### Casual play space within housing areas

- 12.51 This can be defined as outdoor play space to which children and young people have unrestricted safe and priority access, and which has specifically been made available for their unsupervised informal use. No equipment is provided on casual play spaces. To be safe, these play spaces must be closely associated with the housing area where the children who will use them live. Casual play spaces should not be divorced from their catchment by major physical barriers such as a busy road or railway, or by distance.

	<b>Hectares</b>	<b>Acres</b>
NPFA minimum standard per 1,000 population	0.2 / 0.3	0.5 / 0.7
Cheltenham Borough requirement; based on a population of 110,013 (2001 Census)	22.0 / 33.0	55.0 / 77.0
Cheltenham Borough provision	5.89	14.5
<b>Deficit/Credit</b>	<b>- 16.11 / - 27.11</b>	<b>- 40.5 / - 62.5</b>

- 12.52 Casual play space and amenity space in housing areas are often one and the same. However, casual play space has certain physical requirements which not all amenity space can offer; a reasonably even gradient and open vegetation. This overlap makes an accurate assessment of the amount of casual play space available throughout the Borough very difficult and this exercise has not been undertaken.
- 12.53 In view of the importance of casual play space for the healthy development of children, the Council is concerned to ensure an adequate supply of these facilities. Existing play spaces should be retained, and new provided in association with new housing. Policy RC 6 sets out the Council's play space requirement in residential development. The requirement set out therein includes an element for clearly identifiable casual play space at the rate of 1m<sup>2</sup> per head. Development proposals affecting established casual play space will be assessed against policy RC 4.

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#### **POLICY RC 4 CASUAL PLAY SPACE**

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Objective O26

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**Development which would result in the loss of, or adversely affect, the unrestricted and safe use by children and young people of clearly identifiable casual play spaces will not be permitted where:**

- (a) overall provision in the locality would be reduced to below a satisfactory level; and**
  - (b) no adequate alternative play space would be available in the immediate vicinity.**
- 

#### **Townscape value of outdoor playing space**

- 12.54 Policies RC 2, 3 and 4 must be read in conjunction with policy GE 2. Even where it has been established that loss of a site used for outdoor play would not adversely affect levels of provision, that site may have values beyond its use for sport, active recreation and play which merit its retention. Playing fields, sports pitches and play spaces all contribute to the townscape and the biodiversity and conservation of Cheltenham. Policy GE 2 will apply to play space in public and private ownership.

#### **Intensive use outdoor sports facilities**

- 12.55 The Council recognises that outdoor multi-sports pitches with synthetic surfaces and floodlighting offer greatly enhanced opportunities for sport. They are relatively unaffected by bad weather and can be used after dark. Such facilities can be used far more intensively than traditional pitches, so enabling greater participation in sport and more sporting activity. The Council does not consider an increase in supply of all-weather pitches will render other parts of the stock of traditional grass pitches surplus to requirements where provision is below the adopted local standard. The advantage of all-weather facilities is the scope they offer for increased sporting activity, not the replacement of a larger number of

grass pitches which can then be released for development.

- 12.56 The environmental and townscape impact of all weather sports facilities (the noise, traffic and parking associated with longer hours of use, and the intrusion of bright floodlights after dark in addition to the visual effect of the hard surface and necessary structures) can be considerable. Residential areas and conservation areas will be particularly sensitive to these impacts, and careful siting and screening to avoid any adverse effect will be essential. All proposals will be given sympathetic consideration but environmental and conservation concerns will take precedence. Reference should also be made to policies BE 1 and GE 2.

## **AMENITY SPACE AND RECREATION**

- 12.57 The Council recognises that, just as recreational land has amenity value in an urban environment, so an amenity space can develop a recreation function. Such spaces are particularly valuable in areas that are deficient in formal outdoor play space and playgrounds. Hard landscaping may form or be included within areas of amenity space. However, generally the Council will favour the provision of green amenity space (see Supplementary Planning Guidance – *Amenity Space in Residential Developments*).

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### **POLICY RC 5**

#### ***DEVELOPMENT OF AMENITY SPACE***

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Objectives O12 and O26

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**The development or partial development of amenity spaces will not be permitted where the development would remove an opportunity for recreation in an area deficient in alternative opportunities.**

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Note

A definition of amenity space is given in the Glossary.

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## **NEW GREEN SPACE**

### **Play space in residential development**

- 12.58 In order to maintain an adequate level of play space equitably distributed throughout the urban area, the Council will require play space to be provided in conjunction with residential development to meet the needs of prospective residents. Policy RC 6 applies to new developments, redevelopments, conversions and extensions where development would bring forward a net gain in housing units. All residential development (apart from the exceptions listed in Note 1) will add to the demand for play space.
- 12.59 Many residential developments may be small in scale and will individually, only generate small outdoor playing space requirements which would be too impractical to provide or to be too small to be of value on their own. Cumulatively, however, these small residential developments will still contribute to the demand for outdoor recreational facilities.
- 12.60 Supplementary Planning Guidance entitled 'Play Space in Residential Development' has been prepared which explains, in detail, the strategy for the provision of play space and the implementation of the commuted play scheme.

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### **POLICY RC 6**

#### ***PLAY SPACE IN RESIDENTIAL DEVELOPMENT***

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Objectives O26 and O27

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**Provision should be made in residential development for play space in accordance with the local standard of 2.65 hectares (6.5 acres) per 1,000 population.**

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Note 1

The only exceptions to this requirement are housing provided specifically for the elderly permitted under policy HS 6, residential and nursing care homes, extensions, granny annexes, replacement dwellings (on a one for one basis), affordable housing, temporary permissions for mobile homes, non-residential buildings where reversion to an original house is proposed and does not involve the creation of more units than existed originally.

Note 2

For 1-bed flats, bedsits and accommodation provided for or restricted to the occupation by students, only the requirements for youth and adult play space will apply.

Note 3

Policy RC 6 applies to conversions as well as new build residential development.

Note 4

Houses in multiple occupation will be treated as a single unit with the equivalent number of habitable rooms.

Note 5

Refer to Supplementary Planning Guidance on *Play Space in Residential Development*.

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- 12.61 Where it is feasible and appropriate for play space to be provided on-site, the Council expects that this will be done.
- 12.62 Where developers are to meet their play space requirements off-site, planning permission will only be granted subject to an S.106 agreement or payment of a commuted sum prior to issue of the decision notice (see policy CP 8 and Supplementary Planning Guidance on *Play Space in Residential Development*).

### **Amenity space in residential development**

- 12.63 Amenity space should be provided within housing schemes to secure a more attractive townscape and pleasant living environment. Its primary purpose is different from that of designated play areas - hence the requirement for both (see policy RC 6). Some public amenity space may be physically suited to use by children and young people for casual play, and the Council will regard such space as counting towards the provision of the casual play area element of the required standard for play space.

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## **POLICY RC 7**

### **AMENITY SPACE IN HOUSING DEVELOPMENTS**

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Objectives O12, O18 and O23

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**Residential development will only be permitted where it provides an appropriate amount of amenity space (note1).**

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Note 1

In determining an appropriate level for each site, the Council will take account of its Supplementary Planning Guidance on *Amenity Space in Residential Development*.

Note 2

Amenity space means areas of green or hard landscaping which is within private ownership (e.g. private gardens), for the purposes of communal use, or in the wider public domain (e.g. highway verges and visibility splays).

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### **Maintenance**

- 12.64 Developers will need to satisfy the Council that satisfactory arrangements have been made for the proper maintenance of publicly accessible play and amenity spaces provided on-site. The Council will normally be prepared to adopt and assume responsibility for maintaining such spaces. In this case, in accordance with Circular 05/05, the Council will seek provision of maintenance payments for small areas of open space or landscaping principally of benefit to the development itself. Adoption will take place only where the layout and landscaping of the open space is to the satisfaction of the Council (see policy CP 8 and Supplementary Planning Guidance on *Play Space in Residential Development* and *Amenity Space in Residential Development*).

### **New public parks, gardens and recreation grounds**

- 12.65 The distribution of public parks, gardens and recreation grounds through the urban area does not provide equal opportunities for access to public green space for all residents. The existing public green spaces are shown on the Proposals Map. Derelict and under-used sites which are not suitable for residential use, in policy or physical terms, offer the most likely opportunities to redress this imbalance. For example, the Council has utilised the redundant Kingham and Honeybourne Railway Lines and associated land to create new public green space.

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**POLICY RC 8**  
**NEW PUBLIC GREEN SPACE**

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Objectives O12 and O26

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**The Borough Council will pursue opportunities to secure by agreement, or where necessary acquire, and layout, land for use as public green space, specifically:**

**(a) where it is essential for the completion of the Chelt Walk.**

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**The Chelt Walk**

- 12.66 For some time the Council has been involved in the creation of a landscaped walk alongside the River Chelt. Three lengths have been completed - between Cox's Meadow and Bath Road, between Royal Well Lane and Honeybourne Way, and through the Chelt Walk Park upstream of Princess Elizabeth Way.
- 12.67 The Council is keen to see existing parts of the walk linked. This would be in important addition to the town's strategic green network, and assist in expanding the cycling and walking network within the borough. Further additions could be achieved in conjunction with the development of sites with a river frontage. In locations where there is no development potential or the site is unlikely to come forward for development within a reasonable timescale, the Council will consider purchasing the necessary land.
- 12.68 The Environment Agency requires that provision is made for access to the river for maintenance purposes (see policy UI 4). This requirement must be taken into account in the design of the landscaping of new sections of Chelt Walk. Where appropriate, the Council will construct and maintain the walkway. Where appropriate, the Borough Council will seek to promote public access in river corridors where access would be compatible with the objectives of promoting and enhancing biodiversity, and identify appropriate locations for water related recreation along river corridors.

**The Honeybourne line foot and cycle path**

- 12.69 By the end of 1989 the Council had brought back into use the redundant railway line between Lansdown Station and the Prince of Wales Stadium as a foot and cycle path. A further section to Wymans Brook (Roman Hackle Avenue) has been opened. Various access points to the path have been provided along its length, and a play area created to the north of Queen's Road where the track bed widens.
- 12.70 The track runs for approximately 3 km in cuttings and on embankments. Several sections are now colonised by mature trees and shrubs. Careful management and further planting of indigenous species will create a valuable series of habitats, together creating a wildlife corridor through the town.
- 12.71 It is the Council's long-term intention to seek the continuation of the path north to Bishops Cleeve, subject to the agreement of the Gloucestershire and Warwickshire Railway Society, which owns this stretch of the line. Opportunities also exist to extend the path within the Borough south past Lansdown Station and at its northerly end along Wyman's Brook and into Pittville Park.
- 12.72 The line of the complete length of the redundant railway line is shown on the Proposals Map. That part of the 'Foot and Cycle Path' which has already been implemented corresponds precisely with the old railway. However, the route may not follow the line along its entire length, including at Lansdown Station, if a feasible alternative within the curtilage is available.

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**POLICY RC 9**  
**HONEYBOURNE LINE FOOTPATH/CYCLEWAY**

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Objectives O26, O32 and O35

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**Development which would prevent extension of the Honeybourne line footpath/cycleway south of Queen's Road or north of Wyman's Brook will not be permitted.**

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Note

See also PR 3 (Land safeguarded for transport schemes)

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### **Land at Midwinter Allotments**

- 12.73 The Council owns in excess of 12 hectares of land at Midwinter. This land currently comprises of allotments, playing fields and amenity land. The Council wishes to see an integrated approach to the enhancement of this area (see policy PR 2 and table 7).

### **ALLOTMENTS**

- 12.74 Allotments are principally a community facility, providing a wide range of benefits, including low cost food, recreation, and contributing to Cheltenham's network of green spaces and supporting biodiversity and habitats.
- 12.75 Table 14 lists all allotment sites within the Borough, their ownership and size, and their locations are shown on plan 6.
- 12.76 Demand for allotments is variable over time, but it is reasonable to assume that with increasing amounts of leisure time, an appreciation of the benefits of home-grown produce and the trend towards smaller gardens in new housing development, demand will at least remain stable over the Plan period. The Council is preparing an *Allotment Policy* (2004) and *Allotment Strategy* (2005). This strategy will address provision and management of allotments and sustainability of sites.
- 12.77 Usually, demand for and supply of, allotments throughout the Borough are not perfectly matched. There may be areas of under and over supply.
- 12.78 Genuinely redundant allotment land should not be automatically disposed of for development. The Council's first preference is for that land to be made available for alternative recreational activity; especially where it has considerable townscape value as a green space. Redundant allotment plots are often appropriate for use as "leisure gardens" which can be rented for private use. In relation to its own sites, the Council will in the first instance consider an alternative leisure garden use for redundant plots. This reserves the possibility of bringing the land back into allotment use should demand for allotments subsequently increase. Where large numbers of plots or whole sites are redundant, other recreational uses are an alternative to leisure gardening. The Borough suffers from a shortfall in many forms of recreational facility. Borough-wide, sports pitches are in short supply. At a local level, a redundant allotment site might provide a much needed opportunity for local play space in an area deficient in public open space.



**TABLE 14  
ALLOTMENT PROVISION IN CHELTENHAM BOROUGH (2002)**

Site	Ownership	Plan	Area		Plots
		Reference	Ha	(acres)	
Alma Road	C.B.C.*	1	1.2	(3.09)	49
Asquith Road	C.B.C.	2	3.10	(7.66)	124
Croft	Charlton Kings P. C.	3	2.20	(5.44)	81
Hatherley	C.B.C.	4	0.25	(0.61)	22
Haver	Charlton Kings P. C.	5	0.37	(1.81)	36
Terry Ashdown (Henley Road)	C.B.C.	6	0.77	(1.90)	36
Hayden	C.B.C.	7	2.11	(5.21)	65
Hayden II	C.B.C.	8	1.78	(4.40)	58
Midwinter	C.B.C.	9	6.09	(15.05)	199
Reddings Road	C.B.C.	10	0.85	(2.10)	20
Ryeworth Road	Charlton Kings P. C.	11	1.75	(4.32)	74
Severn Road	C.B.C.	12	0.10	(0.25)	6
Warden Hill	C.B.C.	13	0.74	(1.83)	20
Blacksmiths Lane	Prestbury PC**	14	3.95	(9.75)	135
Stanton Drive/Church Road	Swindon PC **	15	1.01	(2.50)	24
Hall Road	Private	16	2.94	(7.25)	
<b>TOTAL AREA</b>			29.21	73.17	
* Cheltenham Borough Council					
** Parish Council					

**POLICY RC 10  
ALLOTMENTS**

Objectives O12 and O26

**Development involving the loss of allotment land will only be permitted where:**

- (a) the site is not included in the allotment strategy as a resource meeting an existing or future need, and where it can be demonstrated that there is no need for alternative outdoor recreational space; or
- (b) the site does not provide a significant or environmental contribution to the town (note 1); or
- (c) appropriate compensatory provision is made in agreement with the Borough Council and the Cheltenham and District Allotment Holders Association which meets the following requirements:
  - i. the new site is in the vicinity and would serve the same catchment as the existing; and
  - ii. the new site provides approximately the same number and size of plots as those in active use at the existing site; and
  - iii. the soil is of a high quality and suitable for cultivation; and
  - iv. the new site is accessible to pedestrians, cyclists and the car-borne; and

**v. adequate car-parking is available at the new site.**

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Note 1

Policy GE 2 (private green space) will apply, and development which would alter the open character of the site may not be permitted.

Note 2

Policy RC 10 will apply to all allotment sites shown on the Proposals Map, irrespective of their statutory or non-statutory status.

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- 12.79 The Council will take positive measures to avoid existing allotment holdings becoming redundant.
- 12.80 In cases where there is sufficient proven demand for allotment facilities to meet provision of a new facility, the Council will attempt to do so.
- 12.81 The designation of appropriate sites requires the satisfaction of a number of criteria; accessibility for pedestrians, cyclists and vehicles, adequate parking within or adjacent to the site, security, appropriate physical conditions (including soil quality), and unobtrusive siting.

### **COUNTRYSIDE RECREATION AND LEISURE**

- 12.82 As a general principle, the Council wishes to encourage recreation and sport in the countryside in recognition of its value for the population, and the opportunities it represents to encourage and to diversify and support the local economy.
- 12.83 However, recreational and sporting activity must be compatible with the Council's other objectives for the countryside, and designations of the AONB and Green Belt. The Council is concerned to ensure that use of the countryside around Cheltenham for sport and recreation does not have an adverse impact on the residential areas of the urban fringe, or on agricultural, forestry or other essential users. The disturbance caused by noise, and in some cases the physical damage and visual harm, is not appropriate in the countryside, particularly in the urban fringe where the effects would be seen and heard by a large number of residents and visitors to the town.
- 12.84 Where a nuisance has been established, the Council will investigate the preparation of Article 4 Directions to remove the general grant of permission conferred by the Town and Country Planning (General Permitted Development) Order 1995 for the temporary use of land for up to 28 days for activities such as war games and clay pigeon shooting.

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#### **POLICY RC 11**

#### ***RECREATION AND SPORT IN THE COUNTRYSIDE***

Objectives O10, O13, O15, and O18

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**The use of the countryside for recreation and sport will only be permitted where it would:**

- (a) not conflict with the conservation of the natural beauty of the Cotswolds AONB and**
  - (b) not conflict with the retention of an open character in the Green Belt; and**
  - (c) not conflict with the needs of agriculture, forestry, and other essential users; and**
  - (d) not conflict with an established recreational use.**
- 

Note 1

The Cotswold AONB Conservation Board criteria for considering recreation development are that the proposal satisfies one or more of the following:

1. is well related to existing recreation and tourism facilities and contributes towards a wide range of recreation resources;
2. provides for an otherwise unmet need or realizes undeveloped potential;
3. uses existing buildings;
4. provides an alternative to an area or site of excessive existing recreation and tourist pressure;
5. promotes understanding of the historical and physical characteristics of the Cotswolds and the area of the proposed development;
6. promotes the quiet enjoyment of the beauty of the Cotswolds;

7. promotes the conservation or enhancement of building(s) or countryside;
8. contributes to the local economy or to local amenities;
9. has good access for cars, buses, coaches, cyclists, walkers, horse riders or other potential uses, including the disabled.

Note 2

Applicants should note that a particular location may be suitable for some pursuits but not others.

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- 12.85 The primary purpose of the Cotswolds AONB designation is to conserve and enhance the natural beauty of the landscape. Proposals for recreation and leisure within the area will be considered favourably where they are consistent with this purpose. An application for recreation or leisure within the AONB will need to satisfy at least one of the criteria listed at Note 1 of Policy RC 11 to ensure that the purpose is upheld.

The Borough Council recognises the difficulties in restricting informal sport and recreation activities in the countryside. Some activities may have a detrimental impact, where such activities are identified, the Council will encourage such activities to be undertaken in locations where activities would cause the least amount of damage.

## **Golf**

### **Golf Courses**

- 12.86 Currently there is only one golf course in Cheltenham Borough, a private 18 hole course at Lilleybrook Golf Club in Charlton Kings. There are also 18 hole courses just outside the Borough at Cleeve Hill and the Cotswold Hills Golf Club, Ullenwood. The Council provides an 18 hole pitch and putt course at Pittville Recreation Centre which affords an opportunity to learn to play golf, and a practice range at the Prince of Wales Stadium.
- 12.87 In 1990 the South West Council for Sport and Recreation produced a strategy for the provision of golf courses, which identifies a need for an 18 hole course to the north of Cheltenham, although this does not mean that any provision will necessarily be within the Borough. Any proposals will be measured against Green Belt and AONB policies, and policies RC 11 and RC 12.
- 12.88 Golf is a sport increasing rapidly in popularity, with an associated increase in demand and development. The opportunities for new courses within Cheltenham Borough are limited, but should proposals come forward the following policy will apply.

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## **POLICY RC 12**

### **GOLF COURSES**

Objectives O13 and O27

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**Within the Green Belt or AONB, only golf courses with a single club house serving purely the needs of members will be permitted.**

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Note 1

All proposals for new or expanded golf courses will also be subject to policy RC 11 which has regard to the environmental impact on the countryside of the new recreational facilities.

Note 2

Policies CO 2 and CO 6 limit new building in the Green Belt and AONB, hence the requirement that the only built structure associated with the golf course should be a club house of limited size. Where possible, an existing building should be used. Proposals linking a golf course to the development of a new hotel or country club complex will not be acceptable.

Note 3

All proposals for new or expanded golf courses will be required to take into account issues of accessibility, particularly by public transport (see policies CP 4: safe and sustainable living and CP 5: sustainable transport).

Note 4

The Borough Council encourages community access to existing and new facilities.

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### ***Golf Driving Ranges***

- 12.89 Golf driving ranges are unlikely to be an appropriate form of development in the Green Belt, because associated structures are large in scale and too obtrusive in an environment where the retention of an open character is of paramount importance. It is also unlikely that an acceptable site could be found in the Cotswold AONB which does not conflict with the conservation of the natural beauty of the area. Proposals will be considered within the context of policies CO 2, CO 6 and RC 11.

### **The countryside and education**

- 12.90 The countryside is an invaluable natural resource. The Council is keen to promote respect, understanding and appreciation of the countryside and recognises that this can best be achieved through education. Knowledge and understanding breed respect and empathy. The Council, therefore, welcomes proposals which involve the interpretation of the natural history, geology, vegetation, wildlife, farming methods and so on in the countryside for the benefit of the public. The type of facilities that could be provided include heritage centres, leaflet guided trails, demonstration farms and interpretation/information boards in appropriate locations. Proposals will be subject to policy RC 11. The Council will, in addition, itself promote and pursue the creation of such facilities where possible.

### **Access to the countryside**

- 12.91 Public rights of way, including footpaths and bridleways which can also be legally used by cycles, are an important recreational resource, providing opportunities for enjoyment of the countryside. This is recognised by the Countryside and Rights of Way Act 2000. Part I of this Act is intended to give greater freedom for people to explore the open countryside.
- 12.92 Routes which link the urban area with the countryside are of particular value to those otherwise without easy access to the countryside, having no independent means of transport. Cheltenham Borough has some 226 public rights of way recorded on Gloucestershire County Council's definitive map, including a section of the Cotswold Way long distance footpath. The Council will ensure that the relevant landowners maintain rights of way in a reasonable and passable condition to protect the rights of the public to the use and enjoyment of these routes.

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### **POLICY RC 13**

#### ***PUBLIC RIGHTS OF WAY IN THE COUNTRYSIDE***

Objectives O26, O28 and O35

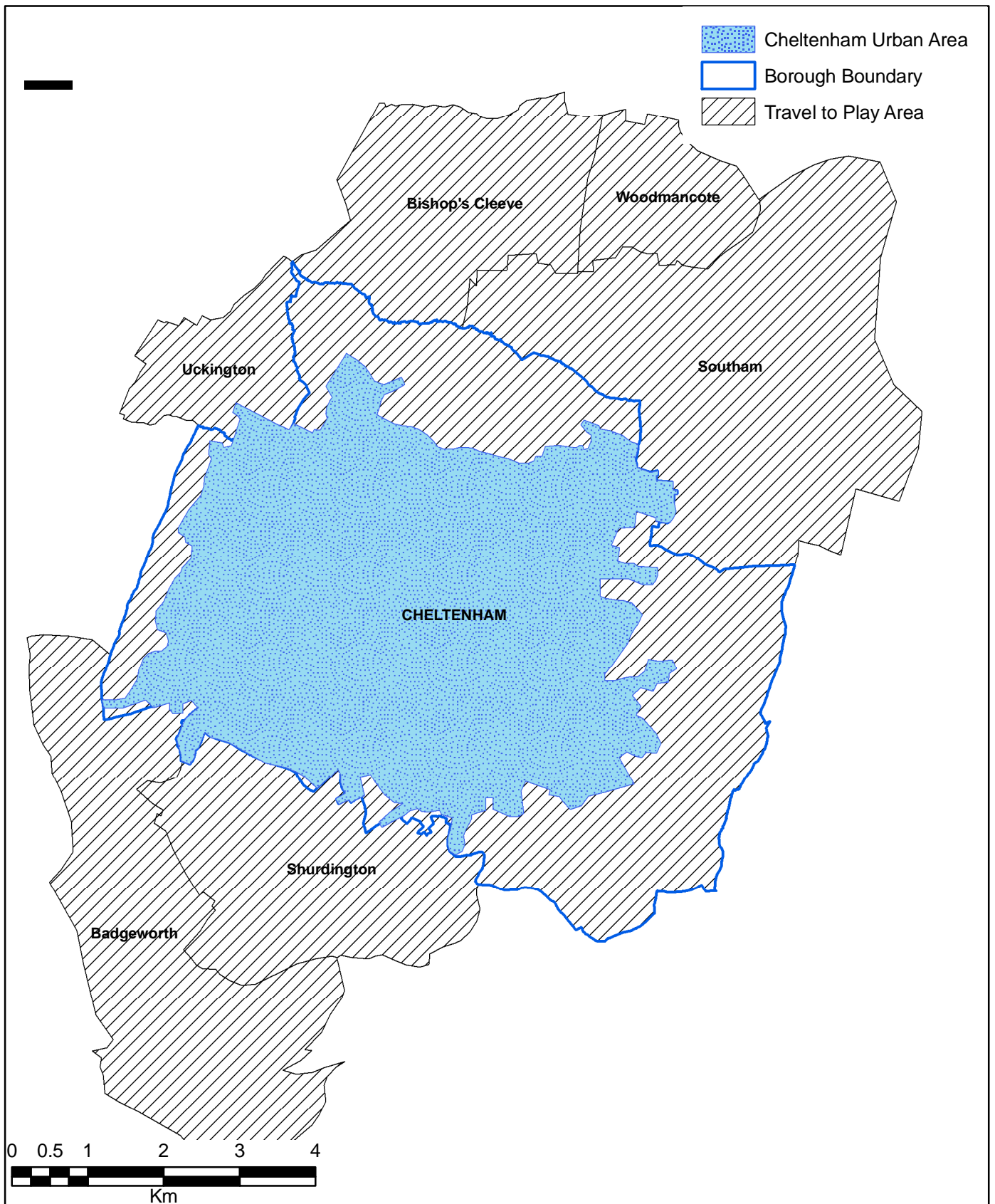
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**Development which would adversely affect existing or new routes of public rights of way will not be permitted unless suitable provision can be made for their retention or diversion.**

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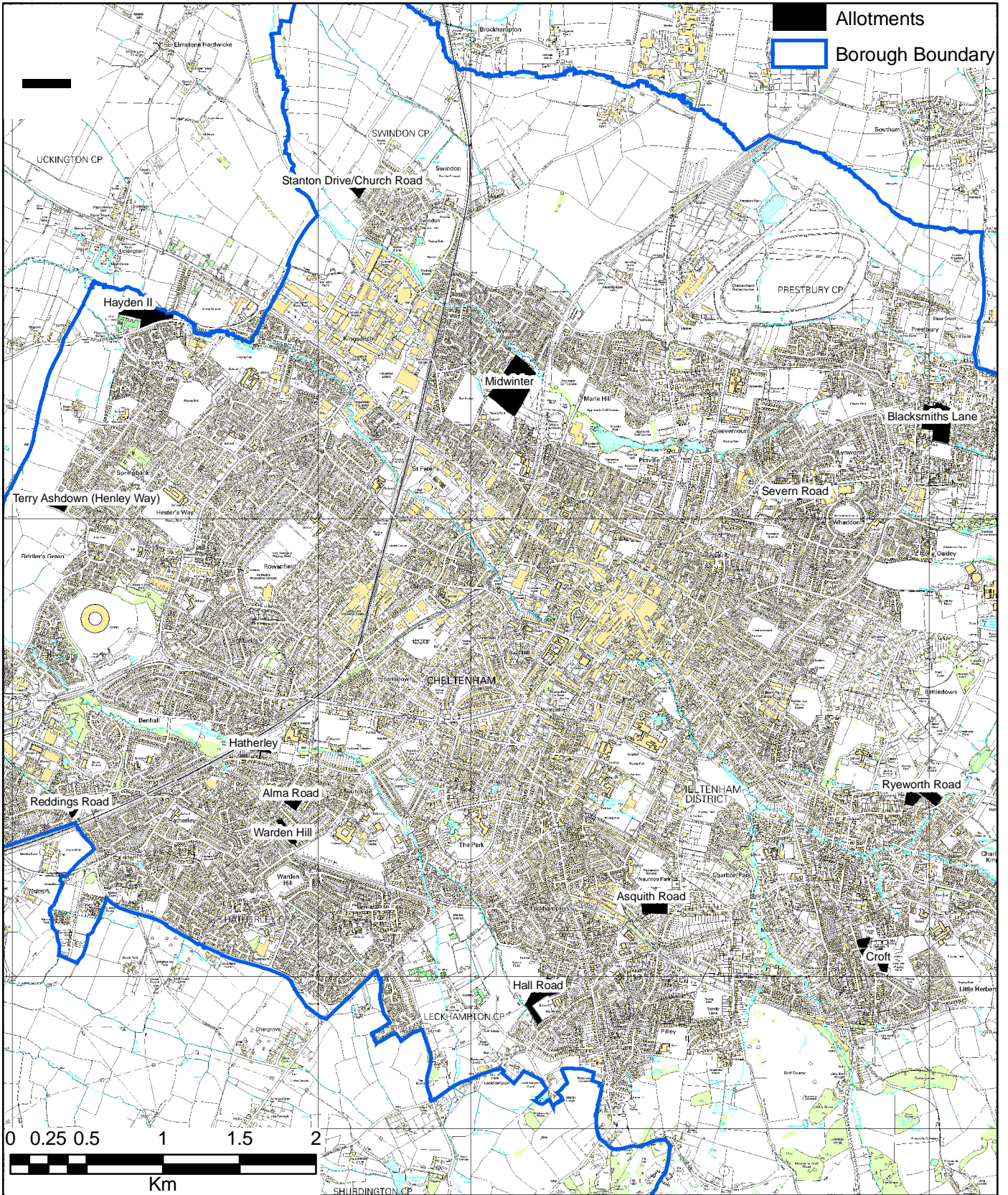
- 12.93 It may not always be practicable to retain existing or proposed public rights of way in new development proposals. Where exceptionally, diversion is permitted, such measures would be secured within the development proposal by condition or planning obligation.

# PLAN 5: TRAVEL TO PLAY AREA





# PLAN 6: LOCATION OF ALLOTMENTS



Please visit [www.cheltenham.gov.uk](http://www.cheltenham.gov.uk) to see an electronic copy of the map

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# 13: UTILITIES INFRASTRUCTURE

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## INTRODUCTION

- 13.1 The existence of suitable public utility services - land drainage, water services, gas, electricity and telecommunications - is vital to any future development, and particularly to its phasing.

## THE STRUCTURE PLAN

- 13.2 The Structure Plan contains policies relating to flooding, renewable energy and telecommunications. Policy F.1 seeks to safeguard new development from unacceptable flood risk and not increase the risk of flooding in other areas. Policy EN.3 encourages the development of renewable sources of energy, subject to keeping the environmental impact to a minimum. Policy TEL.1 seeks to minimize the individual and cumulative impact of telecommunications structures, especially in Areas of Outstanding Natural Beauty.

## LOCAL PLAN APPROACH

- 13.3 The Local Plan seeks to ensure the adequate provision of utilities infrastructure and services to meet the current and future needs of development, and to reduce flood risk in Cheltenham. Since the provision of public utility services is chiefly the responsibility of the relevant utility companies, the Plan advocates close liaison with these bodies.

## LAND DRAINAGE

- 13.4 The primary responsibility for safeguarding land and property against flooding lies with the owner. Riparian owners are also responsible for managing water courses so as to prevent, so far as reasonably practicable, adverse impacts on neighbouring land.
- 13.5 The Environment Agency has a responsibility to '*exercise a general supervision over all matters relating to flood defence*'. It also has permissive powers to carry out maintenance, improvement and flood alleviation works on watercourses designated as 'main river'. Local authorities have similar powers in relation to non-main river watercourses.

## Flood alleviation measures

- 13.6 Within the Borough the only designated main rivers are the River Chelt, the Hatherley Brook, Wyman's Brook, Mill Stream, Noverton Brook, Lilley Brook, Southfield Brook and Ham Brook. In addition the Borough contains the catchments of Wyman's Brook and part of Hyde Brook. At its south-west extremity, the Borough boundary incorporates a small area of the Ham Brook catchment.
- 13.7 The Environment Agency and the Council have identified critical watercourses which have the potential to put large numbers of people and property at risk from flooding.
- 13.8 Cox's Meadow, Sandford Park and the surrounding urban areas, together with developed areas alongside the River Chelt in and downstream of Great Western Road, have been subjected to severe flooding during periods of high surface water run-off, due principally to a number of mills sited along the River Chelt, elevating the river above the valley bed.
- 13.9 The Environment Agency has undertaken a flood alleviation scheme for the **River Chelt** to provide protection against floods having a return period of up to 1 in 100 years. The works comprise improvements and enlargements to culverts and channels, provision of bypass culverts and control structures and provision of flood control measures at Dowdeswell and Cox's Meadow. Care has been taken to record, or protect as appropriate, areas of potential archeological interest, and in particular mill sites of known industrial archeological interest
- 13.10 The Borough Council is committed to improving all watercourses within the Borough, particularly those not designated 'main river', up to a standard offering protection against 1 in 100 years return period floods, as finances, resources, environmental acceptability and latest government guidance permit. The work will involve a strategic approach to the whole length of a watercourse, and will take account of



PPG25, other policies in this plan that provide environmental protection, and guidance of the Environment Agency.

- 13.11 Development taking place in one authority can have significant implications for flood risk in another. The Council will therefore consult with neighbouring authorities in connection with land drainage schemes and catchment planning.
- 13.12 Inadequate culvert capacity and lake storage capability has resulted in flooding along **Wyman's Brook**. Some works were undertaken by the Council in 1987 either side of Windsor Street. Several million pounds are required to complete the design and construction of this scheme. This work is not currently being progressed and would be the responsibility of the Environment Agency.
- 13.13 Flooding along **Hatherley Brook** has not been as severe as that on the River Chelt and Wyman's Brook. A hydrological study of the watercourse is desirable but not currently being undertaken. Further progress is dependent upon the Environment Agency.
- 13.14 A considerable length of Hyde Brook forms the northern boundary of the Borough, and the Council has shared responsibility with Tewkesbury Borough Council for this watercourse. There are localised flooding problems in Prestbury arising from subsidiary watercourses which pass through the village, Mill Stream and Noverton Brook. Construction works have been completed from Bowbridge Lane to the racecourse. Further progress is the dependent on the Environment Agency.

#### **Land drainage and development**

- 13.15 Development usually increases the area within a site covered by impermeable materials. This will result in an increase in the quantity and rate of surface water run-off to watercourses. Many watercourses are susceptible to flooding, or are only capable of accommodating run-off under pre-development conditions. Additional run-off from development can instigate or exacerbate flooding. In addition, development within flood plains, as well as increasing the risk of flooding, can disrupt existing flood flow regimes, which, in turn, can result in damage to buildings, property and infrastructure. Supplementary Planning Guidance on Flooding and Sustainable Drainage Systems has been published which sets out in greater detail the requirements for sustainable drainage measures.
- 13.16 The susceptibility of land to flooding is a material planning consideration. PPG25, '*Development and Flood Risk*', describes how flood risk should be considered at all stages of the planning and development process.

#### **Flood risk assessments**

- 13.17 PPG25 states that it is the responsibility of the developer to provide an assessment of whether proposed development is likely to be affected by flooding and whether the development will increase flood risk elsewhere. An assessment may also be needed of the risk of groundwater or local flooding due to overland sheet flow or run-off exceeding the capacity of drainage systems during prolonged or intense rainfall. The developer must satisfy the Council that any flood risk arising from proposed development can be successfully managed with the minimum environmental effect.
- 13.18 The Council will require a flood risk assessment with any planning application for development likely to be affected by flooding (normally within low to medium or high risk flood zones) or elsewhere where a proposed increase in the proportion of a site covered by impermeable surfaces could lead to additional run-off.
- 13.19 The assessment should be appropriate to the scale and nature of the proposed development and the associated flood risk, and its content should reflect the guidance in appendix F of PPG25. For larger sites, this may necessitate application of the Environment Agency's model.

#### **Risk-based approach and the sequential test**

- 13.20 PPG25 indicates that local planning authorities should apply a precautionary, risk-based and sequential approach to development. It provides guidance on appropriate planning responses to different flood zones. This guidance forms the basis of the Council's policy.
- 13.21 On developed areas of zones subject to a high risk of flooding (i.e. with a probability of flooding of 1 in 100 years or greater), the Council will only permit development, which would not disrupt flood flows or flood storage capacities, and is adequately protected against flooding. In addition, the Council will not



permit the change of use to flats in basements until the flood alleviation scheme protects against a 1 in 100 year event. The only undeveloped areas within the Borough, which might be at high risk of flooding, are within the Green Belt or parks, where most development is precluded by other policies of this plan

- 13.22 Zones subject to a low to medium risk of flooding (i.e. with a probability of flooding of between 1 in 1,000 and 1 in 100 years) are suitable for most forms of development, although flood-resistant construction and suitable warning and evacuation procedures may be required depending on the flood risk assessment. However, development involving essential civil infrastructure, such as hospitals, fire stations, and emergency depots, will generally not be appropriate unless they can remain accessible and operational in times of extreme flooding.

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**POLICY UI 1**  
**DEVELOPMENT IN FLOOD ZONES**

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Objective O30

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**Within developed areas of zones subject to high risk of flooding (note 1), the change of use of basements to flats will not be permitted until the town is protected against a 1 in 100 year event. Other residential, commercial and industrial development will be permitted only where:**

- (a) it would not adversely affect flood flow regimes or reduce the storage capacity of the flood plain ; and**
- (b) an appropriate minimum standard of flood defence can be maintained for the lifetime of the development (see note 2); and**
- (c) it would not place life at risk directly or as a result of placing further demands on the emergency services during times of flooding.**

**Within zones subject to low to medium risk of flooding, essential civil infrastructure will not be permitted, except where:**

- (a) the facility has to be or is already located in the zone; and**
- (b) access is guaranteed and the facility is capable of remaining operational in times of extreme flooding.**

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Note 1

An indication of zones subject to high flood risk is provided by flood plain maps published by the Environment Agency. Because of local variability and uncertainties, the definition of flood risk zones cannot be prescriptive and at any given moment must be determined by completion of a flood risk assessment.

Note 2

The minimum standard of flood defence will include a differential of at least 600mm between 1 in 100 years flood levels and the lowest floor level of a building.

This advice is provided by the Environment Agency and will be treated as a material consideration in any application.

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- 13.23 Flood issues are not confined to river flood plains. Development throughout river catchments can have a significant impact on flooding by increasing surface water run-off. The revised Building Regulations, which encourage the use of sustainable drainage systems for the disposal of rainwater from roofs and paved areas, will contribute to a reduction in run-off from new development. However, in situations where this is not reasonably practicable, the Council may not permit development which increases run-off to sewers, either where volumes are likely to be substantial or where small volumes, individually or cumulatively, could affect an area sensitive to flooding.
- 13.24 Paragraph 56 of PPG25 indicates that *'the aim should be for new development not to increase run-off from the undeveloped situation and for redevelopment to reduce run-off.'*

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**POLICY UI 2**  
**DEVELOPMENT AND FLOODING**

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Objective O30

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**Development will only be permitted where it would:**

**(a) in the case of new development, not increase the quantity or rate of surface water run-off (see notes 1 and 2); or**

**in the case of redevelopment, reduce the quantity or rate of surface water run-off (see note 1); and**

**(b) not have a direct and adverse effect on a watercourse or its flood defences; and**

**(d) not impede access to flood defence and management facilities.**

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Note 1

The minimum standard of attenuation required will be the difference in run-off between that for a 1 in 100 year storm prior to development and a 1 in 100 year storm post development.

Note 2

The restriction and reduction of surface water run-off is likely to require the use of sustainable drainage systems (see paragraphs 13.25 - 13.26).

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**Sustainable drainage**

- 13.25 The attenuation of run-off from development, as well as the protection of watercourses from pollution and the provision of wildlife habitats, can be assisted by the use of sustainable drainage systems (SuDS), which mimic natural drainage. These include surface water storage areas, flow limiting devices (such as ponds), and infiltration areas (such as soakaways, swales and filter drains). Part H of the Building Regulations 2000 (as amended) gives priority to the use of sustainable systems in the drainage of rainwater.
- 13.26 The Council expects developers to incorporate SuDS into new development, particularly larger schemes, and, where appropriate, to enter into agreements on the adoption, operation and maintenance of the systems. To assist, the Council has published supplementary planning guidance on Flooding and *Sustainable Drainage Systems*.

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**POLICY UI 3****SUSTAINABLE DRAINAGE SYSTEMS**

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Objective O30

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**In new developments the incorporation of Sustainable Drainage Systems will be required. Where this is not practicable developers will be required to demonstrate fully why the development cannot incorporate sustainable drainage systems and how the development manages surface water drainage.**

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**Developer contributions**

- 13.27 Some development may require provision of flood defence or mitigation works, either to protect the development itself or to prevent consequential flood risk to other areas or properties. These will generally be funded by the developer, except where they are already programmed for the protection of existing development or they form part of a programme of public investment to return previously developed land to beneficial use. They may be the subject of a section 106 agreement (see policy CP 8 provision of necessary infrastructure and facilities) to ensure that the works are completed to an appropriate timescale and that maintenance commitments for 30 years are met.
- 13.28 Any programmed works will need to be completed to an appropriate timescale if they are to be relied upon by the development.

**Maintenance of watercourses**

- 13.29 In the interests of flood alleviation, it is important to ensure that all improvement works can be implemented, that all watercourses can operate to their full capacity under all conditions (particularly during periods of high run-off), and that all watercourses can be fully maintained by the riparian owner or the Council, when necessary. In support of these objectives, the Council will normally require a maintenance strip to be kept or provided along both sides of a watercourse. The Council wishes to meet Environment Agency standards for main rivers in this respect (see paragraph 13.10), although there may be cases where existing development may not make this possible in the long-term, or at all.
- 13.30 For a maintenance strip to be effective, it must normally be unimpeded. Therefore, the Council will not normally permit development, including boundary structures, within maintenance strips.
- 13.31 The Council is, however, aware of the amenity, recreation and wildlife potential of rivers and their maintenance strips. Existing trees and shrubs can contribute substantially to the environmental quality of river corridors, and may therefore be retained, if they do not impede watercourse flow levels, until such time as essential maintenance or improvement work necessitates their removal. There may also be occasions when new planting will be acceptable on the same basis.
- 13.32 The specified widths of 8 meters and 6 meters are as required by the Environment Agency and the Land Drainage Authority as the necessary area for heavy plant to safely access and work alongside the river or watercourse. Maintenance strips should be at a reasonable level above the watercourse to facilitate maintenance by hand or machine. Access to such strips should be available at all times. Maintenance strips are generally required to be 6m in width, but alongside 'main river' watercourses and those which may in the future be designated as such this dimension should be increased to 8m. These dimensions shall be measured from the top of the river bank, as determined by the Council. Generally this point will be as existing unless improvements are anticipated. Where watercourses are culverted, maintenance strips shall extend over the culvert and for a minimum distance of 3m from the outside face of the culvert on both sides, and shall also include allowances for any necessary re-alignment determined by the Council. Accesses to the maintenance strips across land adjacent to watercourses shall have a minimum width of 5m and shall be free of overhead obstructions precluding the travel or operation of maintenance plant and vehicles.
- 13.33 The approval of the Council must be issued before works are carried out to any watercourse. Any works involving the culverting or bridging of a watercourse, any alteration to a dam, mill or weir, or any works within 8m of the top of the bank of a main river need the prior consent of the Environment Agency.

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#### **POLICY UI 4**

#### **MAINTENANCE STRIPS FOR WATERCOURSES**

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Objective O30

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**Where development affecting an open channel watercourse is undertaken, maintenance strips will be required along both banks as follows:**

- (a) a minimum 8m wide on main rivers; or**
- (b) a minimum 6m wide on other watercourses.**

**Over culverted watercourses, a minimum 5m maintenance strip on both sides of the culvert will be required (note 2).**

**Access to maintenance strips will be required at a minimum width of 5m. Proposals should not conflict with policy CP 3 (note 3).**

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Note 1

The points from which open channel maintenance strips are measured will be determined by the Borough Council.

Note 2

Maintenance strips for culverted watercourses are measured from the outside face of the culvert.

Note 3

CP 3 (sustainable environment). See also the Council's *Green Space Strategy*.

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### **Culverting of watercourses**

- 13.34 Both the Council and the Environment Agency are in general opposed to the culverting of watercourses because of the adverse ecological, flood defence and other effects that are likely to arise, unless there is no reasonably practicable alternative or if the detrimental effects of culverting would be so minor that they would not justify a more costly alternative. Where practicable, the Council seeks to restore culverted watercourses to open channels and will require existing culverts to be opened up where they are affected by development proposals. Culverting can exacerbate flooding and destroy wildlife and amenity habitats. Where exceptionally culverting is permitted, suitable measures of mitigation or compensation must be provided (including the opening up of other sections of culvert and enhancing open stretches of watercourse within close proximity to the development). Such measures would be secured within the development by condition or planning obligation.

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#### **POLICY UI 5**

#### **CULVERTING OF WATERCOURSES**

Objectives O18 and O30

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**Except where physically or financially impracticable:**

- (a) the culverting of existing watercourses will not be permitted; and**  
**(b) existing culverts will be required to be opened up in conjunction with development.**

**Where exceptionally culverting is permitted adequate mitigation will be required.**

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- 13.35 Riparian owners will be required to comply with their obligations under the terms of the Land Drainage Act 1976 to maintain the water-course bed and banks within their ownership, and in addition not to encroach within the watercourse flood flow area nor erect any structures or plant trees which would hinder flood or lesser flows.
- 13.36 The Borough Council will promote, encourage and, where appropriate, enforce the proper riparian maintenance and cleaning of the River Chelt and all other watercourses within the Borough.

### **WATER SERVICES**

- 13.37 Water services cover 3 main functions; sewerage, sewage treatment and water supply and distribution. Severn-Trent Water plc has no unqualified responsibility for the provision of services to or on new development sites. Under certain circumstances, developers may requisition water supplies and sewerages, in which case Severn Trent Water must by law undertake the work and the developer will be liable to pay at least a part of the costs.

#### **Sewerage and sewage treatment**

- 13.38 Responsibility for sewerage and sewage treatment lies with Severn Trent Water, which has a duty to provide such public sewers as may be necessary for effectively draining their area, and to provide sewage disposal works which deal effectively with the contents of sewers. Development proposed over or adjacent to a public sewer which would make maintenance or replacement of that sewer unacceptably difficult or would prejudice the structural integrity of the sewer will generally be unacceptable.
- 13.39 Cheltenham Borough includes three main sewerage areas, each based on an existing watercourse, through which flows a main foul trunk sewer.
- to the north, the Northern Outfall Sewer roughly follows the line of the Wyman's Brook between Midwinter allotments and Manor Road, and then runs along the line of Hayden Road to Pilgrove Pumping Station, which was completed in 1970.
  - the southern area of Cheltenham drains into the Hatherley Trunk Sewer, which closely follows the line of the Hatherley Brook between Hatherley Park and the Hayden Water Reclamation Works and was completed in 1978.
  - the central area of the Borough from Charlton Kings through to Hester's Way is drained by the Chelt Main Sewer and its major tributary, the Wyman's Brook Combined Sewer, which are both

being progressively replaced. These two sewers follow approximately the courses of the River Chelt and Wyman's Brook.

- 13.40 The majority of the Cheltenham Central Area Main Sewerage System is over 120 years old, in a poor structural state and in need of replacement. A rolling programme of sewer replacement is being implemented which will involve work well beyond the end of the current 5-year Capital Programme. The Chelt main sewer has a large overflow to the River Chelt at Arle. The design is such that sewage matter passes to the Chelt without any form of treatment in a high amenity area, i.e. the Chelt Walk. The Environment Agency recommends that any further development within the catchment area of this sewer system should be discouraged, as the increase in sewage flow would lead to the overflow being used more frequently.
- 13.41 Cheltenham Borough is served by Hayden Water Reclamation Works just outside its western boundary. The works will not present any constraint to development in relation to its capacity, although the Environment Agency has indicated that they may object if extra development could have a deleterious effect on the River Chelt. The fields adjoining the works are used for sludge disposal, creating a potential smell problem in addition to that of the works itself. No further residential development should be permitted on sites which are considered to be seriously affected by odours from the works or fields used for sludge disposal (see Plan 7). A similar constraint exists in relation to the Brockhampton Sewage Works, which lies just outside the Borough (see Plan 8).

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#### **POLICY UI 6**

#### ***DEVELOPMENT NEAR SEWAGE TREATMENT WORKS***

Objectives O3 and O31

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**Development likely to be seriously affected by odours from Hayden Water Reclamation Works or Brockhampton Sewage Works will not be permitted.**

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Note

The areas to which this policy applies are shown on the Proposals Map.

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#### **Water supply**

- 13.42 Severn Trent Water is responsible for the supply of public water and does not envisage any major problems with water supply, except for development on land in the rural eastern part of the Borough. Considerable expenditure on new mains, reservoirs and booster pumps would be required if development were to take place in this area. However, since it is within the Cotswolds Area of Outstanding Natural Beauty, it is most unlikely that any major residential development will take place here.

#### **WASTE**

- 13.43 Under the Environmental Protection Act 1990 responsibility for collecting and disposing waste is divided between the County and District/Borough Councils. Cheltenham Borough Council has a statutory duty to provide facilities for collecting all household and commercial waste upon request in their area and to prepare a recycling plan. The County Council is responsible for the disposal of waste and has prepared a Waste Management Strategy and a Municipal Waste Management Strategy for Gloucestershire.
- 13.44 The County Council is also the Waste Planning Authority. Its policies are set out in the Gloucestershire Waste Local Plan. In addition, the County Council undertakes development control functions for waste.
- 13.45 Policy 36 of the Gloucestershire Waste Local Plan requires developers to consider the type and volume of waste generated by development and ways in which waste generated by construction and occupation can be minimised.

#### **Recycling facilities**

- 13.46 The Council has prepared a recycling plan in line with Government advice. In conjunction with the Waste Disposal Authority the Council is investigating measures to maximize the removal of waste for recovery and recycling (including composting).

- 13.47 As part of this process, the Council operates a disposal point for household and recyclable refuse. The purpose built facility is operated from the Council's own depot, off Swindon Road. Other recycling facilities are operated at sites throughout the Borough and generally comprise glass/paper/can/clothing banks. The introduction of these amenity sites has proved to be most popular with the public and has provided a legal means of disposing of bulky household items which might otherwise have been illegally tipped. It has also enabled a slight reduction to be made in ordinary domestic refuse collections. However, all sites will require careful management to avoid nuisance.

## **ENERGY**

### **Electricity**

- 13.48 The scale, distribution and phasing of development proposals within the plan period, both residential and industrial, is unlikely to create problems of electricity supply. Normal provision for sub-stations will be required in larger new developments.

### **Gas**

- 13.49 Gas supplies to Cheltenham are robust and will be adequate to support general growth in load. Local situations will require checking individually for adequate capacity.

### **Renewable energy**

- 13.50 Renewable energy comes from sources that occur and recur naturally. It is generally more sustainable and produces less emissions harmful to the environment than finite sources of energy, such as fossil fuels. The government has set a target of 10% of UK electricity to be supplied from renewable sources by 2010. Regional Planning Guidance for the South West goes beyond this and encourages local authorities, energy suppliers and other agencies to support a minimum of 11 – 15% of electricity production from renewable energy sources by 2010. The regional agency for renewable energy (Regen SW), has developed sub regional energy targets with each of the counties in the south west. Gloucestershire Sustainable Energy Forum has been established to develop an action plan to meet this future energy target. Structure Plan policy EN.2 encourages proposals for the development of renewable sources of energy, subject to conditions.
- 13.51 Some renewable energy sources, such as hydro, can usually only be developed where they occur. Sites for such uses are most likely to be found in rural areas. Other forms of renewable energy may be exploited anywhere.
- 13.52 In Cheltenham, the rural areas are entirely covered by Green Belt and Area of Outstanding Natural Beauty designations. Paragraph 11 of PPS22, '*Renewable Energy*', outlines the need for particular care in assessing proposals for developing renewable energy projects in these areas. Paragraph 13 goes onto outline that careful consideration will need to be given to the visual impact of projects upon the Green Belt. PPS7 '*Sustainable Development in Rural Areas*' indicates that, within Areas of Outstanding Natural Beauty, development plan policies and development control decisions should favour conservation of the natural beauty of the landscape. Some renewable energy installations can also affect residential amenity.
- 13.53 Photovoltaic technology (solar power) can make a small but significant contribution to the delivery of electricity from renewable sources. Photovoltaic systems convert solar radiation to electricity, and may form a stand-alone system (such as street lighting) or be integrated into roofs and facades of buildings (commercial and residential).
- 13.54 In Cheltenham, the most likely application of photovoltaic systems is integration within existing and new buildings. The ideal installation of photovoltaic systems requires orientation, which is roughly south, towards the sun, at a tilt of around 30. Such orientation will provide the maximum capture of solar radiation, although flexibility in orientation may be adopted without a significant loss in output. The positive benefits of photovoltaic systems need to be balanced against potential visual impacts, which may have a detrimental impact on the attractiveness of an area and amenity of residents. There are a range of designs and materials available which may assist in limiting visual impact of photovoltaic systems (see supplementary planning guidance on *Sustainable Buildings*).
- 13.55 The Borough Council will carefully consider applications for the use of photovoltaic systems, particularly where these are within or adjacent to a conservation area or listed building. The Council will also

consider the positive contribution photovoltaic systems have upon the quality of the environment, particularly in association with contemporary buildings.

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**POLICY UI 7**  
**RENEWABLE ENERGY**

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Objectives O10 and O13

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**Proposals for renewable energy will be permitted where they would not harm residential amenity or interests of acknowledged importance.**

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Note 1

Interests of acknowledged importance are conservation areas, ancient monuments, sites included on the Register of Historic Parks and Gardens, Area of Outstanding Natural beauty, green belt, Sites of Special Scientific Interest, statutory and non statutory nature reserves, regionally important geological and geomorphological sites, listed buildings and buildings of local importance.

Note 2

Guidance on the incorporating renewable energy generation in development proposals is set out in supplementary planning guidance on *Sustainable Developments* and *Sustainable Buildings*.

Note 3

See also policy CP 1 (sustainable development).

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## TELECOMMUNICATIONS

- 13.56 The telecommunications sector is a vital part of the UK economy. It is innovating and developing rapidly, with the availability and use of modern telecommunications systems constantly increasing. This allows more people to work at home and provides greater choice in education, entertainment, shopping and financial services, all of which can reduce the need to travel. In consequence, telecommunications can play an important part in supporting a sustainable development strategy.
- 13.57 The Government's policy, as expressed in PPG8 (Telecommunications), is to facilitate the growth of new and existing telecommunications systems whilst keeping the environmental impact to a minimum. This is reflected in Structure Plan policy TEL.1.

### Prior approval

- 13.58 All telecommunications development is subject to development control. However, much minor development is permitted under the Town and Country Planning (General Permitted Development) Order 1995 (as amended) although it may also be subject to a requirement that the operator must apply to the Council for a determination as to whether its approval for the siting and appearance of the development is required (a 'prior approval' application). The Council must make a determination within 56 days. The Council will take account of a range of factors in determining whether prior approval is required for a particular proposal, including design and use of materials, visibility and screening, and impact on residential amenity. These factors are set out in Appendix 1 of PPG8, a code of best practice on mobile phone network development published by the Office of the Deputy Prime Minister, and supplementary planning guidance on *Telecommunications Masts, Antennas and Base Stations*.
- 13.59 The Council may also intervene in the details of permitted development if it considers that the conditions of the GPDO have not been met by the operator; for instance, where the operator has not sited an antenna so as to minimize its effect on the external appearance of a building.

### Masts, antennas and base stations

- 13.60 The benefits of new and more extensive telecommunications systems must be balanced against the potential impact of apparatus on local environments. Of particular concern in this respect is the erection of new masts, antennas and base stations, which by virtue of their location, size, appearance or number, can be visually intrusive.

- 13.61 The impact of new apparatus may be greater where its proposed location is in or adjacent to sensitive environments, such as Green Belt, Areas of Outstanding Natural Beauty, conservation areas, Sites of Special Scientific Interest, sites included on the Register of Historic Parks and Gardens, nature reserves, ancient monuments, and listed buildings.
- 13.62 In order to limit visual intrusion, the number of telecommunications masts and sites for such installations should be kept to a minimum consistent with the efficient operation of a network. The sharing of sites and masts is strongly encouraged. To assist this, the Council maintains a register of masts and other structures to which apparatus could be attached.
- 13.63 The Council has published supplementary planning guidance which seeks to address potential problems arising from proposals for the erection of new masts, antennas and base stations. Operators are encouraged to discuss their proposals with the Council prior to submitting planning applications, and will be required to submit sufficient accompanying information to enable balanced judgements to be made.
- 13.64 In considering planning applications and prior approval determinations, the Council will take account of the special needs and technical constraints, which have influenced the development of proposals. Operators will need to demonstrate that they have selected a site following a comparison of alternatives, based on technical suitability, availability and environmental impact. In particular, each application should be accompanied by evidence that the operator has fully considered the use of existing masts, buildings or other structures. The operator must also demonstrate that the proposed apparatus has been sited and designed to minimize its environmental impact, and complies with European Union standards on public safety.

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## **POLICY UI 8**

### ***TELECOMMUNICATIONS INSTALLATIONS***

Objectives O2, O3, O5, O6, O9, O10, O11, O19, O20, O26, and O36

**The installation of telecommunications equipment will be permitted, subject to the following criteria:**

- (a) no suitable alternative location is identified (note 1); and**
- (b) the installation is sited, designed and landscaped to minimise its impact on amenity of a locality or the appearance of a building (note 2); and**
- (d) the equipment satisfies ICNIRP guidelines on the exposure of the general public to electromagnetic fields (see note 5); and**
- (e) noise levels are acceptable (see note 6).**

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#### Note 1

The Borough Council will require operators to demonstrate that consideration has been given to all suitable locations, including mast sharing and use of existing buildings and structures (see Council's register of masts).

#### Note 2

See *Code of Best Practice: on mobile phone network development*, ODPM (2002).

#### Note 3

Interests of acknowledged importance are conservation areas, ancient monuments, sites included on the Register of Historic Parks and Gardens, area of outstanding natural beauty, green belt, sites of special scientific interest, statutory and non statutory nature reserves, regionally important geological and geomorphological sites, listed buildings and buildings of local importance.

#### Note 5

Refers to the guidelines of the International Commission on Non-Ionizing Radiation Protection on the limitation of exposure of the general public to electromagnetic fields, as expressed in the European Union Council recommendation of 12 July 1999.

#### Note 6

See also supplementary planning guidance on *Telecommunications Masts, Antennas and Base Stations*.

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- 13.65 In granting permission for new masts, the Council may seek legal agreements with land owners and/or operators which make legal and/or structural provision for future mast sharing.
- 13.66 In accordance with paragraph 32 of PPG8, prospective developers of new housing, office and industrial estates are encouraged to consider with all relevant telecommunications operators how the telecommunications needs of occupiers will be met.

#### **Domestic satellite antennas**

- 13.67 The installation of a single domestic satellite antenna is in many cases permitted development as defined by the Town and Country Planning (General Permitted Development) Order 1995 (as amended). Planning permission is not generally required, subject to certain exceptions, both within or outside a conservation area. However, Listed Building Consent will be required where a building is listed.
- 13.68 The Council is concerned at the intrusive effect of domestic aerials or antennas on the Cheltenham street scene and will generally seek to minimise the visual intrusion of domestic satellites. To this end it has published guidelines for those cases where powers of control exist, as supplementary planning guidance.
- 13.69 For blocks of flats and other multi-occupied premises, which do not benefit from permitted development rights, the Council will encourage the provision of a single communal antenna.

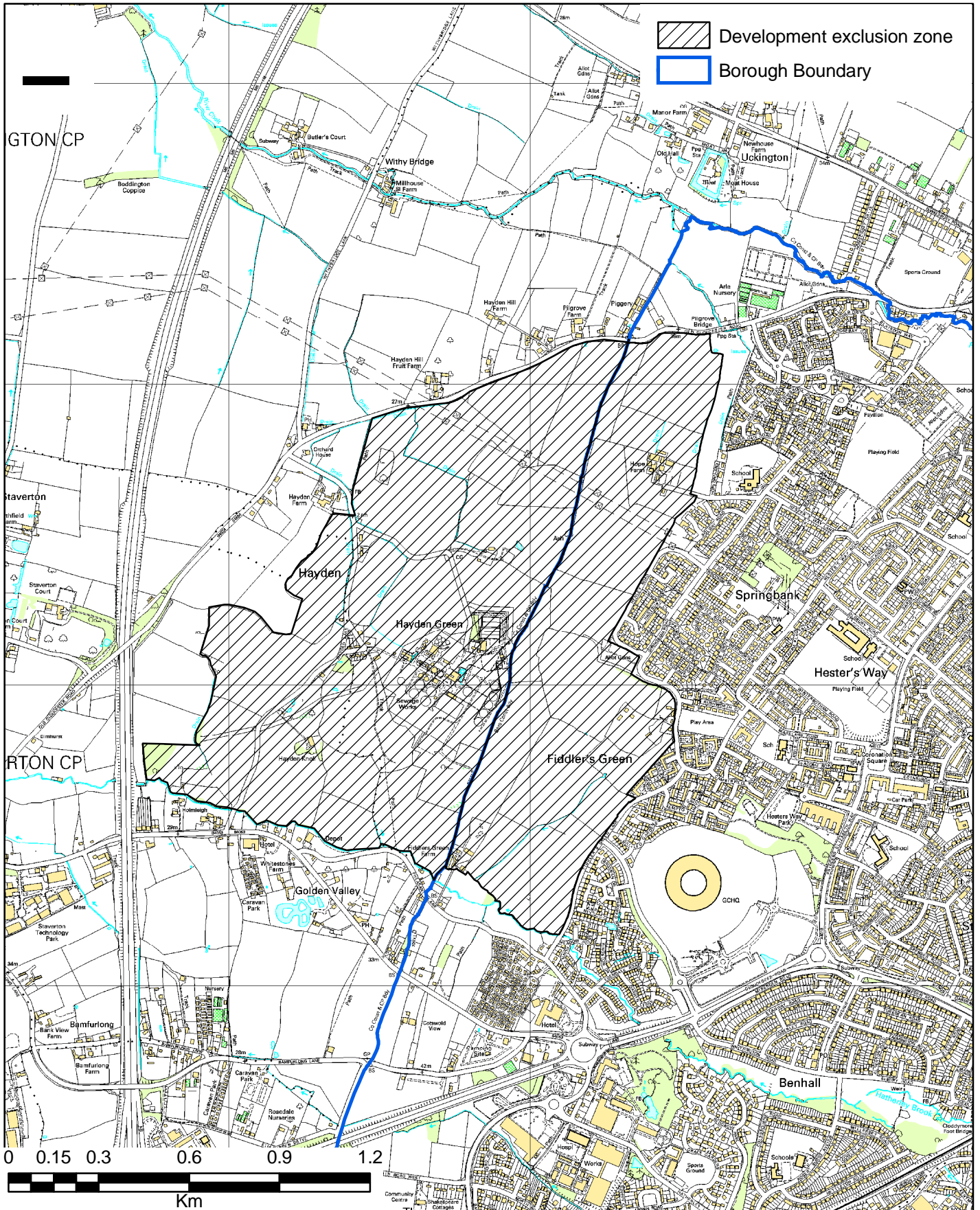
#### **Overhead lines**

- 13.70 Many overhead electrical and telephone lines, erected outside planning control, are unsightly. Transferring existing lines underground would, in most cases, be prohibitively expensive. However, in sensitive locations, the Council will encourage utility companies to relocate existing and install new lines underground.

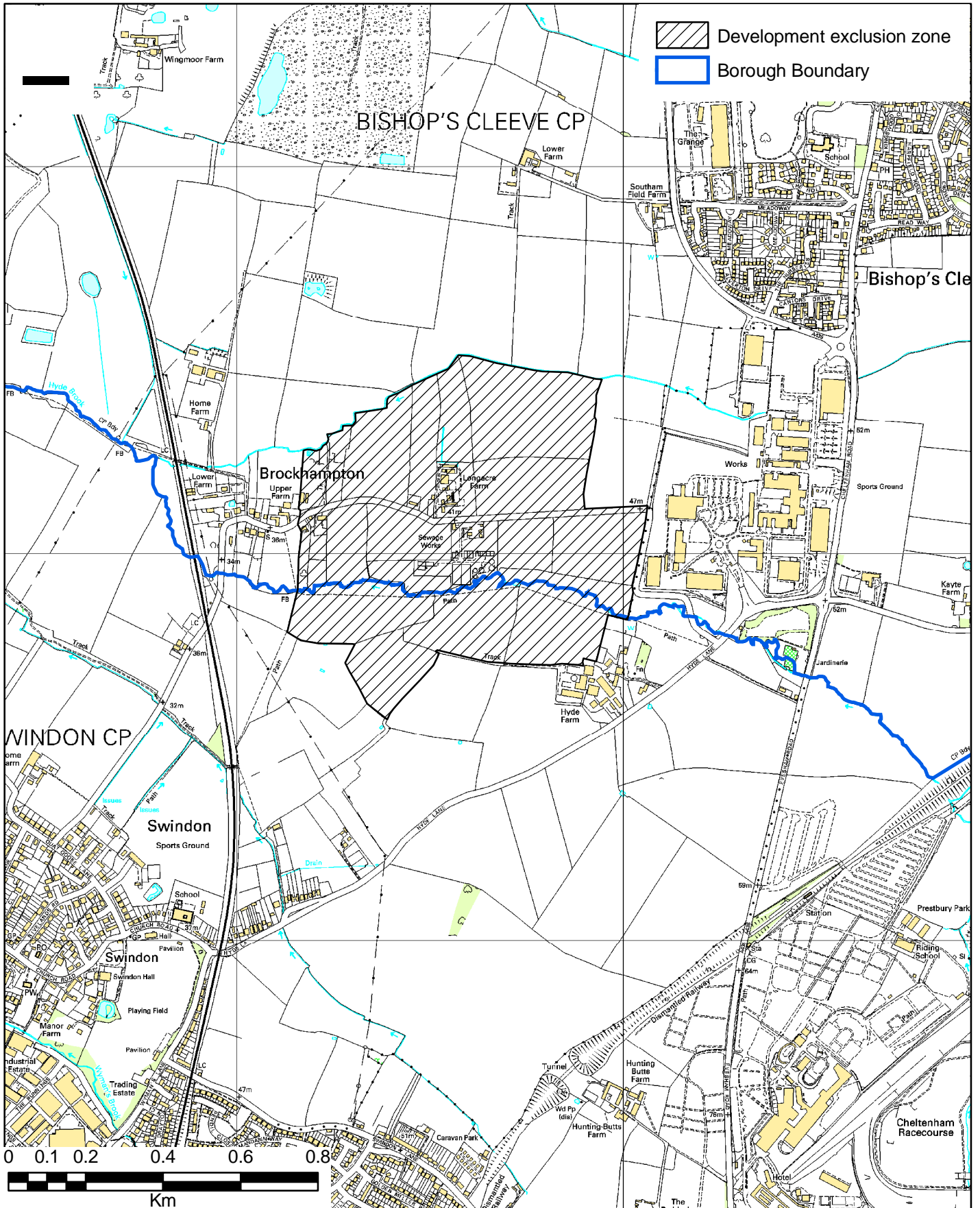
#### **PUBLIC CONVENIENCES**

- 13.71 Clean and convenient public conveniences are essential for residents and visitors, particularly those using the town centre. Existing provision is in some cases poorly located, ageing and subject to vandalism. Specific provision for people with disabilities is also lacking in some instances.
- 13.72 The Council recognizes a need to improve facilities. It has secured new provision in association with larger shopping developments, will encourage the provision of new public conveniences in larger developments open to the public, and will itself aim to provide an adequate and well-maintained distribution of facilities in the town centre, subject to the limitations of available resources. New facilities must be sensitively located and designed, and should be built to disability access standards.

# PLAN 7: HAYDEN WATER RECLAMATION WORKS EXCLUSION AREA



# PLAN 8: BROCKHAMPTON SEWAGE WORKS EXCLUSION AREA



# 14 : TRANSPORT

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## INTRODUCTION

- 14.1 Additional development in Gloucestershire and growing car ownership and use are increasing road traffic in Cheltenham, putting ever greater pressure on the highway network and parking facilities. This is making travelling for all road users more difficult and threatening both the urban and rural environments.
- 14.2 Most of the growth in traffic flows will be due to increasing car ownership and use, although further development in Cheltenham and surrounding areas will also generate additional traffic.
- 14.3 In order to meet the challenge caused by increased car use, there will be instances where it is necessary to attempt to accommodate it by increasing highway capacity and parking provision. However, given the emphasis on sustainability in transport and land use policies, it will often be more appropriate to restrain car use and to encourage other modes of transport and walking to play a greater role.
- 14.4 Road space is shared and already congested at times over much of the highway network. The proportion of people travelling to work by car within Gloucestershire rose from 57% in 1981 to 68% in 2001 (ONS). The capacity of the road system is, in reality, inadequate to accommodate such an increase in road traffic. The Council places a high priority on the quality of Cheltenham's urban environment and on the need to protect its architectural inheritance. These factors, as well as financial constraints, mean that large-scale new highway and car parking provision is not practical.
- 14.5 Accommodating the forecast increases in road traffic would be unacceptably destructive to the fabric of the Borough. It is therefore necessary to restrain motor vehicle use in order to allow other transport modes, and in particular public transport, walking and cycling, to become more attractive. To achieve this, it will be necessary to introduce schemes, which disadvantage motor vehicles in order to ensure that public transport, walking, and/or cycling have operating conditions which encourage their use.
- 14.6 In 2001, the Government published PPG13 (Transport). The objectives of this guidance are to integrate planning and transport to:
- ◆ promote more sustainable transport choices for both people and for moving freight
  - ◆ promote accessibility to jobs, shops, leisure facilities and services by public transport, walking and cycling
  - ◆ reduce the need to travel, especially by car.

## LOCAL TRANSPORT STRATEGY

- 14.7 The Gloucestershire Local Transport Plan (LTP), approved by the Government Office for the South West in 2000, reflects the objectives of PPG13 and sets out the transport strategies which the County Council as highway authority will seek to implement. It includes a strategy for the Central Severn Vale comprising Cheltenham, Gloucester and the main urban areas of Gloucestershire where approximately 46% of the population and 54% of employment is found. This area is the focus of complex patterns of travel, economic activity and congestion and it has different transport needs to other areas of the county. This Plan provides policies to support the CSV strategy and LTP targets. This has been replaced with the Gloucestershire Local Transport Plan 2006 -2011.
- 14.8 In 2001, the Borough Council published the Cheltenham Transport Plan. This supplements the statutory LTP with more local detail of measures and works to achieve more sustainable travel patterns in Cheltenham.

## THE STRUCTURE PLAN

- 14.9 The policies and proposals of the Structure Plan Second Review complement the Local Transport Plan for Gloucestershire. Their overall thrust is to plan development so as to reduce the need to travel, to develop facilities to promote alternative modes of transport to the car, and to restrain unnecessary car use.



## **LOCAL PLAN APPROACH**

- 14.10 This chapter sets out detailed land use policies to support and promote the aims and objectives of the transport strategy set out in the Gloucestershire Local Transport Plan and the Local Plan objectives in Table 1.

## **SUSTAINABLE TRANSPORT**

- 14.11 PPG13 suggests local planning authorities should take a pro-active approach towards the implementation of planning policies on transport, in order to deliver more sustainable solutions.
- 14.12 The historic distribution of development and land use in and around Cheltenham has created travel patterns which are currently characterised by substantial volumes of trips and a high proportion of car use. The transport policies of the County and Borough Councils seek to modify these patterns by traffic management schemes and parking control.
- 14.13 The traffic generated by development can add to existing problems of congestion, accidents, severance, noise and reduced air quality. It is important that in planning for new development, both the developer and the Councils seek to minimise the impact of additional travel.
- 14.14 As local planning authority, the Council seeks to achieve this by guiding development to the most accessible locations – where the need to travel is least and where fullest use can be made of the most sustainable forms of travel.
- 14.15 Consequently, planning policies seek to ensure that development which is higher density, or mixed use, or attracts a lot of people locates where it is easily accessible by foot, cycle and public transport and to frequently used facilities. In addition, proposals for development should be based around securing improved accessibility to sites by all modes of transport. See policy CP 5 (sustainable transport).

## **THE HIGHWAY NETWORK**

- 14.16 Cheltenham's role as a sub-regional centre providing a wide range of employment, services and facilities for eastern Gloucestershire ensures that it is a key destination for many trips. Where public transport is limited, many of these trips will be made by car.
- 14.17 Over 180,000 vehicles travel in and out of Cheltenham every weekday, which combined with the large number of short car journeys within the town, place great strain on the highway network, particularly during the morning and evening peaks. This results in congestion and affects environmental quality.
- 14.18 Key short-term priorities of the Council's transport strategy are to ensure best use is made of the highway network, helping essential traffic to flow more smoothly and improving environmental quality. It seeks to achieve this by traffic management measures, by promoting alternatives to the private car, and by demand management.

### **Changes to the highway network**

- 14.19 Much of the highway network in Cheltenham, and particularly that in the town centre, was built before the advent of motor vehicles and the large growth in their use. It has limited capacity, which cannot be significantly increased. In particular, it is not appropriate in a town with Cheltenham's historic status to consider extensive purpose-built new roads within the urban area for environmental, financial and social reasons.
- 14.20 Nevertheless, some improvements to the network can be made to relieve local constrictions, improve traffic flow, and serve development. Policy PR 3 of the Plan safeguards three routes from development, which might prejudice the implementation of transport schemes. In addition, the long-standing Northern Relief Road project remains to be completed.
- 14.21 The Northern Western Bypass, a route for which was safeguarded in the 1997 local plan, no longer appears in the Structure Plan or the Local Transport Plan and has therefore been deleted from this Plan.

### **Other highway network improvements**

- 14.22 Other changes may occur in conjunction with development, or as part of the management of the network, including improved provision for public transport or cycles, but these will necessarily be of a minor nature and are not subject to planning permission.
- 14.23 Many of the roads forming the main highway network are some of Cheltenham's finest, lined with listed buildings and avenues of mature trees. Enhancing the role of these roads in their function as traffic distributors can therefore only be undertaken with due consideration of their immediate environment.
- 14.24 In most cases where capacity needs to be increased, it will be by limiting on-street parking, reducing turning movements and similar traffic management techniques. Where carriageway realignment or widening is required, this will be mostly on a very limited scale. Other improvements that assist public transport or cyclists and pedestrians, or reduce the likelihood of traffic using environmentally sensitive areas (see paragraphs 14.38 –14.44), or encourage improvements to traffic circulation will be given priority. In such circumstances, improvement works will not be carried out if they would have a significant adverse effect on the fabric or the character of conservation areas in the Borough.

### **Highway safety**

- 14.25 PPG13 places great emphasis on people being able to travel safely whatever their mode of transport. New development can endanger highway safety if poorly located or built without adequate infrastructure. Policy TP 1 seeks to limit development, which may harm highway safety. The Council will seek to ensure that development associated with high turnover car parking, in particular take-away restaurants and cash machines, is carefully located so that any parking movements do not present a safety hazard on the highway network.

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#### **POLICY TP 1**

#### ***DEVELOPMENT AND HIGHWAY SAFETY***

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#### **Objective O35**

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**Development will not be permitted where it would endanger highway safety, directly or indirectly, by:**

- (a) creating a new access, altering an access or increasing the use of an existing access on to the main highway network, or at other points where it would be hazardous to highway users, unless a satisfactory improvement has been carried out; or**
  - (b) generating high turnover on-street parking.**
- 

### **Standards for highways in development**

- 14.26 Where permitted development or redevelopment requires new highway construction or the improvement of existing roads and accesses, certain standards will apply to the design and construction of roads. These protect the interests of those served directly by the road, by ensuring that roads and sewers will be adoptable and maintainable at the public expense.

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#### **POLICY TP 2**

#### ***HIGHWAY STANDARDS***

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#### **Objective O34**

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**Highways should be designed and constructed to appropriate standards, taking account of environmental and design considerations.**

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#### **Note 1**

In assessing whether an appropriate standard has been made, the Borough Council will have regard to the County Council's *"Highway Requirements for Development: Local Standards and Guidance for Gloucestershire (1999)"*.

#### **Note 2**

See policy CP 7 (design).

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### **Adoption of private roads**

- 14.27 The County Council as Highway Authority will consider adoption of a private road only if it is brought up to the appropriate maintainable standards.

### **The town centre**

- 14.28 The town centre is the focus of many journeys by workers, shoppers, tourists and service deliveries. It also receives significant volumes of traffic passing from one part of the town to another. Vehicles dominate sections of the main shopping streets.
- 14.29 Within the context of its *Urban Design Framework* (draft) and *Civic Pride* initiative, the Council intends to make the town centre a more attractive place for pedestrians, creating prestigious places in High Street and Promenade.
- 14.30 The construction of the new road linking St. George's Road with Gloucester Road has enabled the Council to divert traffic from the heart of the town centre, providing an opportunity to create new public spaces and an improved environment for pedestrians and cyclists. Parts of High Street, Regent Street and Promenade have already been pedestrianised and these will be extended. The consequential effects of these changes on other parts of the highway network will need to be considered.
- 14.31 Proposals will need to ensure proper provision is made for public transport, access and parking for people with disabilities, and the servicing of premises. As far as is practical, this pedestrianisation will exclude all vehicles, including buses, service vehicles and bicycles. Where no suitable alternative routes for buses and bicycles are available, pedestrian priority schemes will be considered. In those streets in the town centre where pedestrian priority schemes are not achievable, the needs of pedestrians and wheelchair users will still be given particular attention.
- 14.32 In order to extend pedestrianised areas, the Council will endeavour to secure rear servicing facilities for commercial premises; otherwise service vehicles will be unable to obtain access to premises without conflict with pedestrians. The requirement to provide rear servicing will be applied to all new retail schemes, including redevelopment proposals, where physically possible. When considering further pedestrianisation the Council will undertake consultations with frontagers. The special security requirements of banks and building societies will be taken into account in the design of such schemes.

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### **POLICY TP 3**

#### **SERVICING OF SHOPPING FACILITIES**

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Objectives O3, O24 and O35

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**Major new shopping facilities or redevelopment will be required to provide off-street servicing, approached from the rear, where physically possible. Where possible, this should be extended to include adjacent properties.**

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#### Note

The Council may impose a condition on a planning permission which restricts the hours of servicing and/or delivery where it might harm residential amenity.

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- 14.33 The town centre is a vital area for public transport and if buses are to be encouraged, the road layout needs to be designed to provide good access, effective operating conditions (i.e. traffic free), and attractive passenger facilities. The need to provide for buses will be a major influence on highway arrangements and the design of pedestrian priority areas within the town centre. The use of bus only streets will be considered where the alternative routes available would significantly reduce the standard of facility offered by public transport.

### **The main highway network**

- 14.34 Predicted increases in vehicle use and ownership will put great pressure on the existing highway network. Although the Local Transport Plan and *Cheltenham Transport Plan* are designed to restrain traffic growth and car use (and in particular traffic flows to and from the town centre), the amount of traffic using the highway network will continue to grow.
- 14.35 This additional traffic will need, as much as possible, to be channelled on to the main highway network in order to protect more sensitive areas. This means that traffic management techniques, highway improvement measures, and the location of new development will all need to reflect the necessity for

the main highway network to accommodate significant flows of traffic. Such measures will need to address the environmental constraints outlined in paragraph 14.26.

- 14.36 The main highway network (as shown on Plans 9 and 10) defines the trunk, principal and non-principal roads. All such roads will be expected to carry traffic, although highway improvement, traffic management measures and development standards will need to reflect the different roles that roads play in the network hierarchy. Trunk roads and principal roads will be expected to carry the majority of the 'through' traffic and heavy goods vehicles, whilst traffic flow on the non-principal roads should mostly have origins or destinations within Cheltenham. Many of the roads on the main highway network have residential frontages and any changes to the highway will need to take account of this. In the case of non-principal roads, greater emphasis will be placed upon the amenity of residential frontages.
- 14.37 Increased vehicle flow on the main highway network will place a greater emphasis on the need to control traffic speeds in order to reduce the impact of greater use.

### **Environmentally sensitive areas**

- 14.38 By channelling traffic, where possible, on to the main highway network, the Council is able to introduce the concept of environmentally sensitive areas, mainly residential in character, within which the aim will be to reduce traffic volumes and speeds.
- 14.39 Extraneous through traffic, using roads intended to provide local access only, is one of the major environmental disadvantages associated with increased vehicle ownership. Positive measures designed to aid traffic flows on the main highway network, combined with traffic restraint within the environmentally sensitive areas enclosed by main roads, should reduce any advantages which drivers can gain by seeking routes other than the strategic network. These measures should, in themselves, improve the environment for people living and working in these areas, and provide the opportunity for other enhancement proposals.
- 14.40 A key concept in environmentally sensitive areas is that of traffic calming, which is intended to reduce both the number and the speed of vehicles by alterations to the carriageway design. The techniques available include road humps, speed tables, throttles (to reduce carriageway width), chicanes and kerb extensions at junctions. Traffic calming techniques can be applied in a wide variety of locations. Throughout the highway network techniques may be used to restrain vehicles' speeds to 30 mph (or in some cases 40 mph), whereas in environmentally sensitive areas lower maximum vehicle speeds of 20 mph may be more appropriate. The type of roads that would benefit from traffic calming techniques is varied; many residential areas have been built to layouts that have left them vulnerable to increased car ownership.
- 14.41 There is an enormous demand, particularly in residential areas, for such measures. Traffic calming measures do, however, require considerable resources and in order to ensure that these are used to the best effect, clear criteria will be required to select areas for investigation.
- 14.42 A further possibility is that buses, to make them a more attractive transport mode, could be allowed to penetrate certain environmentally sensitive areas using specific routes. In some cases this access would be restricted to small buses only.
- 14.43 On a smaller scale, the Council will promote the provision of home zones (residential streets in which the living environment clearly predominates over any provision for traffic), both in existing and proposed streets.
- 14.44 Because of the sensitive nature of all such environmental management proposals, the Council will undertake public consultation in the locality before schemes are introduced.

### **Heavy goods vehicles**

- 14.45 Heavy goods traffic has increased considerably in the last 10 years, and with it problems of safety and air pollution.
- 14.46 Heavy goods vehicles are an essential component of the economy of Cheltenham and those with local destinations will need to have access throughout the network. These vehicle movements are best accommodated on the main highway network using positive measures designed to steer them on to main roads and to discourage them from seeking alternative routes through sensitive areas.



- 14.47 A small proportion of heavy goods vehicles in Cheltenham constitutes through traffic. The de-trunking of the A40 provides an opportunity to consider introducing controls on long distance heavy goods vehicles to ensure that such traffic is diverted on to the new trunk route.
- 14.48 A system of advisory signs to follow recommended lorry routes, as well as Traffic Regulation Orders restricting specified vehicle movements, would help divert long distance lorry movements away from Cheltenham and limit heavy goods vehicle movements to those having business in the Borough.

## **PARKING**

- 14.49 Car parking is a crucial element in transport strategy. PPG13 notes that the availability of car parking has a major influence on the means of transport people choose for their journeys. Parking also takes up a large amount of space on-street, in off-street parks, and in development, where it can reduce densities. Demand for car parking space is at its highest in the town centre.

### **Town centre parking policy**

- 14.50 Demand for car parking in Cheltenham town centre is currently in part met by extensive unregulated, free parking in residential streets around the commercial core. Committed development in the town, future development in its hinterland and higher levels of car ownership during the Plan period will lead to further demand for parking space in the town centre. The provision of facilities to meet this demand is likely to cause further congestion on the highway network, reduce environmental quality and threaten to damage the town's special fabric and character.
- 14.51 Therefore, in order to deter traffic movements to and within the town centre, the Plan does not propose to accommodate this demand, but rather to encourage the use of alternative forms of transport. The objective of parking policy will be to retain the current number of spaces in the town centre, but to provide a greater emphasis on short-stay parking. This will be achieved by extending areas of control for on-street parking and changing existing long-stay spaces to short-stay.
- 14.52 To compensate for these stricter controls, the Plan seeks the introduction of a comprehensive range of Park and Ride facilities and improved public transport services, particularly to cater for long-stay parking. In addition, those spaces that remain in the town centre will be more effectively managed, leading to increased capacity for short stay use and a higher turnover of users, providing principally for short stay shoppers, visitors, essential business users, and drivers with disabilities.

### **On-street parking in the town centre**

- 14.53 During the working day there is shortage of on street parking in the town centre for visitors and residents. Creating a residents' and short stay visitors' parking zone will have the effect of making it easier for residents and shoppers to find places. Within this controlled area it is also proposed to make permits available to local businesses for their essential vehicles. The County Council has commissioned a study into the decriminalisation of parking enforcement across the whole county.

### **Off-street parking in the town centre**

- 14.54 Off-street car parking will remain the main provision for public car parking in the town centre. At present, the Council provides 4,255 spaces in off-street car parks (see table 15 and Plan 11), for a mixture of short-stay and long-stay parking.

<b>TABLE 15</b>	
<b>OFF-STREET CAR PARKING PROVISION</b>	
<b>Car Park</b>	
Regent Arcade	540
Grosvenor Terrace	452
Portland Street	329
North Place	479
Former Whitbread site	360
St. James Street	202
High Street / Henrietta Street	126
Bath Road	80
St. George's Road	116
Jessop Avenue / St James*	800
Sherborne Place	102
Rodney Road	111
Beechwood Place	372
Phoenix Passage	36
Chelt Walk	150
<b>TOTAL</b>	<b>4255</b>

Figures from Cheltenham Borough Council's Parking Department  
 \*Waitrose Car Park, free of charge to Waitrose Customers.

14.55 It is the Council's aim over the Plan period, as alternative provision for long-stay parking at Park and Ride sites is made available, to reduce provision for long-stay parking in public off-street parks in favour of short-stay parking. In support of this approach, the Council will not grant permission for new permanent or temporary long-stay car parks specifically for public use, except as part of a comprehensive approach to provision.

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**POLICY TP 4**  
**LONG-STAY CAR PARKING**

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Objective O32

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**The provision of new long-stay car parking facilities specifically for public use in the Core Commercial Area, either permanent or temporary, will not be permitted except where the need has been demonstrated as part of a comprehensive strategy for car parking provision and charging.**

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14.56 The Council recognises that car parks are often the first feature that visitors to Cheltenham experience. It is therefore important that they give a favourable impression. The Council will continue a programme of enhancing existing car parks to make them safer and more user friendly and will ensure that they are maintained to a high standard. Particular attention will be paid when drawing up proposals for new car parks to designing out crime, to ensuring that they are user friendly and have an overall appearance which is compatible with Cheltenham's image.

14.57 In order to ensure efficient use of off-street parking facilities and to reduce travel by vehicles seeking spaces, the Council will investigate the potential for improved signing, including electronic systems.

**On-street parking outside the town centre**

14.58 Although the town centre and the streets immediately surrounding it suffer most from the high demand for on-street parking, there are other locations in the town where on-street parking needs careful management. Problems usually result where long-stay parking demand from commercial activity conflicts with demands by shoppers and/or residents. The areas around the Lansdown railway station and Bath Road shopping area, for example, experience severe problems of this nature.

14.59 On-street parking controls which provide exemptions for residents can ease some of these difficulties, particularly when adjacent off-street facilities are not used to their full advantage. The Council recognises that residents prefer to park their cars near their homes and that on-street parking controls

should be used to assist them. Residents' Parking Schemes can either be 'shared' (i.e. Residents able to park all day but other motorists are subject to limited waiting) or 'exclusive' (i.e. a section of the highway is allocated to Residents' Only).

- 14.60 Resident parking and limited waiting require considerable enforcement, which will need to be addressed before a scheme can be introduced. In order to help finance the installation, administration and enforcement costs, those residents who wish to participate will be asked to pay an annual permit fee.

### Off-street parking outside the town centre

- 14.61 Small surface car parks in the wider urban area beyond the town centre provide valuable car parking for the local shopping centres that they serve. Existing car parking provision is as follows:

<b>TABLE 15a OFF-STREET CAR PARKING PROVISION OUTSIDE THE TOWN CENTRE</b>	
	<b>Spaces</b>
Bath Terrace*	160
Edinburgh Place	144
St. Edwards (Charlton Kings)	50
Church Piece (Charlton Kings)	40
Commercial Street*	37
Idsall Place, Prestbury	13

\* Charges levied

- 14.62 Such car parking not only supports commercial activity at these local centres, but also assists residents in the area by providing off-street parking which can release on-street spaces for their benefit. The Council will seek to purchase, or use appropriate land, for additional off-street parking outside the town centre, particularly where on-street parking is already fully utilised; so long as the introduction of a car park will not create environmental problems of its own. Off-street car parks can also provide the opportunity for on-street parking controls for environmental or traffic flow reasons. Charges for these car parks have and will continue to be introduced as a management tool.

### Private parking facilities

- 14.63 The Council is not the only provider of off-street car parking. In some cases, organisations such as schools, hospitals and sports clubs need car parking to accommodate traffic generated by their activities. The Council will support the provision of improved parking facilities for existing buildings in the context of a travel plan and subject to certain conditions.

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## **POLICY TP 5**

### ***EXTENSION OF PRIVATE CAR PARKING FACILITIES***

Objectives O11, O12 and O32

**The provision of extended parking facilities for existing buildings will only be permitted in the context of a travel plan and where the proposal:**

- (a) would help to resolve existing problems on the public highway; and**
- (b) is consistent with the car parking standards in policy TP 6 and table 16; and**
- (c) will not lead to an unacceptable increase in traffic or problems of access in the locality.**

Note

Other particularly relevant policies are BE 1, BE 7, and GE 2, which resist the erosion of the green and open character of the town. Conservation concerns will take precedence.

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### **Park and Ride**

- 14.64 A key element of the strategy of restraining traffic in Cheltenham is the provision of a Park and Ride system, complementing the proposals for parking in the town centre. Park and Ride systems comprise a number of surface car parks on the periphery of the urban areas, where motorists entering the town are offered the opportunity of parking their cars and continuing their journey to the town centre by a

specially provided low cost and frequent public transport service. A successful system will remove significant volumes of traffic from the highway network.

- 14.65 The provision of Park and Ride facilities around the fringes of Cheltenham will compensate for the planned loss of on-street parking spaces within the town centre, and will also provide additional capacity to allow for the growth in parking demand. Comprehensive provision of Park and Ride facilities means that the town will be able to offer long stay shoppers, commuters and visitors a convenient alternative to town centre car parking and maintain road capacity for essential vehicles.
- 14.66 The Local Transport Plan proposes that up to five Park and Ride sites may be required in Cheltenham. At present, two facilities are operating – at Cheltenham racecourse, adjacent to the A435, and at Arle Court, on the A40 (Golden Valley) corridor to the west, which is the largest single feeder of traffic into Cheltenham. Other proposed routes are, in priority order, the A4019 (from Tewkesbury); the A46 (from Stroud); and the A40 (from Oxford). Those sites would be introduced one at a time over a period of years in line with the growth in need.
- 14.67 In 2002, the Borough and County Councils commissioned Halcrow to develop a park and ride strategy for Cheltenham. Halcrow assessed a number of potential sites on three routes, and identified in broad terms where complementary public transport measures would be required to support park and ride bus services. They recommended that a site on the A4019 should be developed in the first instance. The Local Transport Plan indicates that at least one site on the A4019 or the A46 is planned.
- 14.68 Park and ride facilities will be funded by the County Council, although contributions will be sought from development which is likely to generate a significant level of trips to ensure that it complies with the requirements of policies CP5 (sustainable transport) and CP8 (provision of necessary infrastructure and facilities).
- 14.69 As additional Park and Ride sites and extended public transport facilities become available, the amount of unrestricted and long stay on-street parking permitted in the town centre will be reduced to a level in keeping with the environment, and also the number of long-stay, off-street spaces will be reduced.

### **Parking standards**

- 14.70 PPG13 indicates that maximum parking standards for broad classes of development should be used as part of a package of measures in order to:
- (i) promote sustainable transport choices;
  - (ii) reduce the land-take of development;
  - (iii) enable schemes to fit into central urban sites;
  - (iv) promote linked trips and access to development for those without use of a car;
  - (v) tackle congestion.
- 14.71 PPG13 states that there should be no minimum standards for development, other than for parking for people with disabilities. PPG13 proposes standards for various forms of development, as does Regional Planning Guidance for the South West (RPG10). In accordance with PPG13 paragraph 55 development which complies with maximum parking standards will not be automatically considered acceptable in terms of achieving the transport objectives of this plan. Applications for development with significant transport implications will still need to demonstrate measures to minimise parking.
- 14.72 The Local Transport Plan also provides a county-wide parking standards framework for inclusion in local plans. For strategically significant land uses, these generally reflect national and regional standards, although for office development the standard is lower in the Central Severn Vale, which includes Cheltenham. The plan also includes standards for other land uses not covered by national and regional guidance.
- 14.73 Table 16 sets out vehicle and cycle parking standards for development proposals.

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**POLICY TP 6**  
**PARKING PROVISION IN DEVELOPMENT**

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Objectives O32 and O36

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**Development will be permitted where it makes provision for parking in accordance with the standards in table 16, taking account of design considerations.**

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Note 1

Parking standards will be applied to new build, redevelopment or change of use.

Note 2

See policy CP 7 (design).

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**Parking for people with disabilities**

- 14.74 Drivers with disabilities need particular assistance with car parking, and the Council will provide special parking bays both on and off-street specifically for such drivers. Locations will be selected on-street to provide maximum accessibility to shopping areas and other important destinations. In off-street car parks, spaces will be provided at prime locations, where appropriate adjacent to lifts (see also paragraphs 14.75-14.78).

**OTHER MODES OF TRANSPORT****People with mobility handicap**

- 14.75 The Council recognises, both in terms of maintenance and design, the importance of ensuring that those people who experience a mobility handicap are not further disadvantaged.
- 14.76 The Council recognises that it is able to assist people with a mobility handicap in a wide variety of ways; such as by providing dropped kerbs, longer crossing times at pelican crossings, and ensuring that street furniture and signs are away from pedestrian desire lines.
- 14.77 The Council recognises that A-boards may cause an obstruction on the public highway and does not want to see a proliferation of such items. Each application for an A - board will be considered on its own merits having regard to design, purpose, situation and safety.
- 14.78 The Council provides support to the Cheltenham Shopmobility scheme.

**AVIATION****Gloucestershire Airport**

- 14.79 To the west of Cheltenham at Staverton lies Gloucestershire Airport, a civil airport with considerable use by light aircraft. Certain parts of the Borough are safeguarded from high development, which could affect flight paths into the airport (see plan 13). Other land uses such as waste control and mineral extraction can also affect flight paths and Civil Aviation Authority should be consulted over proposals of this nature.
- 14.80 The Borough Council will consult the Civil Aviation Authority on development likely to affect the safeguarded flight paths of Gloucestershire Airport.

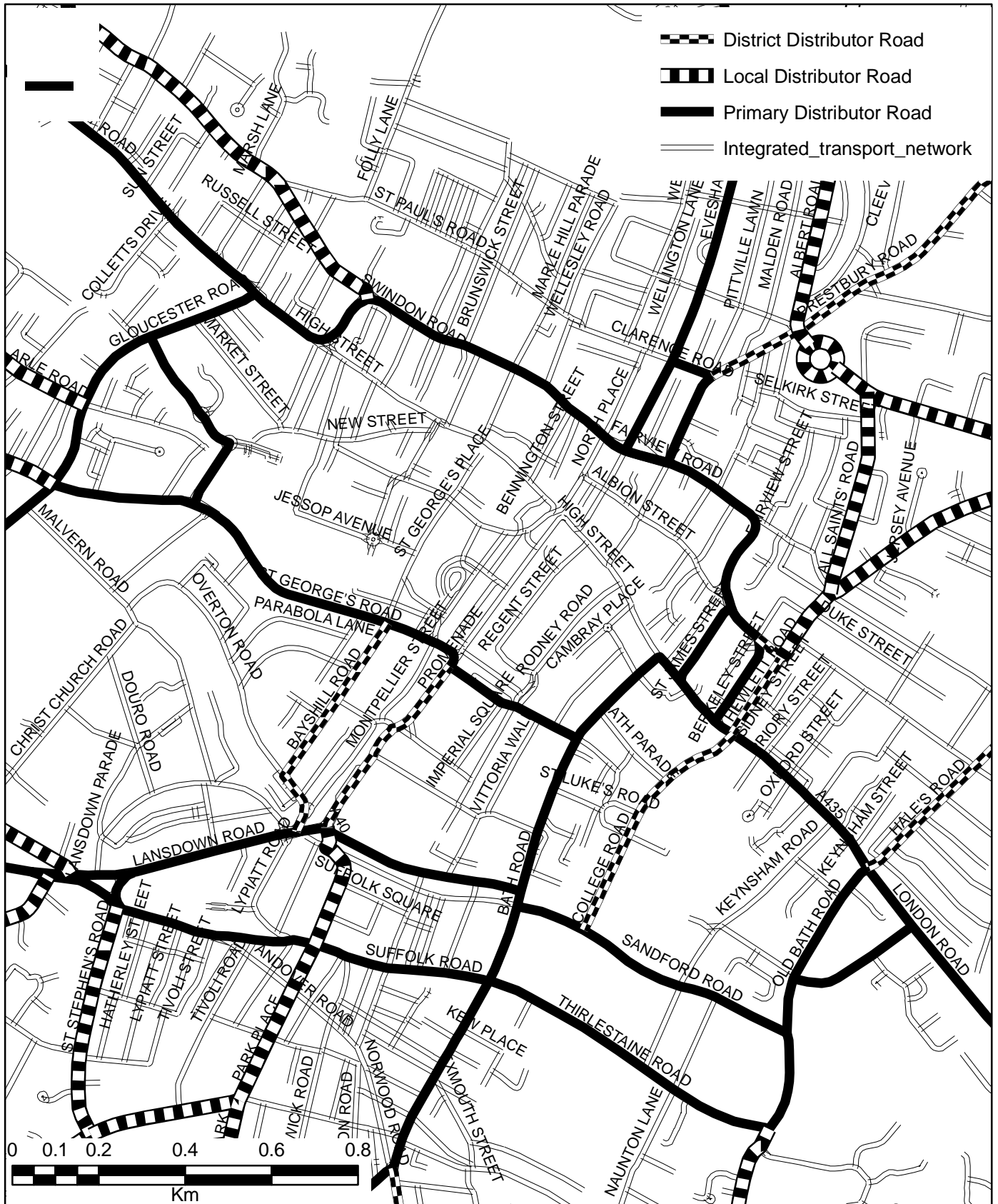
<b>TABLE 16 PARKING STANDARDS</b>		
<b>LAND USE</b>	<b>MAXIMUM CAR PARKING STANDARDS</b>	<b>MINIMUM CYCLE AND MOTOR CYCLE PARKING STANDARDS</b>
	<p>Notes</p> <ul style="list-style-type: none"> <li>• car parking should be located at basement or semi-basement level, except where impracticable or visually undesirable.</li> <li>• all floorspace figures refer to gross floor area</li> <li>• employee numbers refer to full time equivalents</li> </ul>	<p>Notes</p> <ul style="list-style-type: none"> <li>• parking facilities should be secure (i.e. within a secure area or providing the opportunity of securing the cycle frame to a fixed object) and preferably under cover. If external to the building, the parking area should be visible and well lit</li> <li>• a minimum of 2 cycle parking spaces must be provided at any new non-residential development, however small</li> </ul>
<p><b>retail use (A1)</b></p>	<p><i>for food retail:</i>  <i>up to 1,000 sq. m.: 1 space per 25 sq.m.</i>  <i>over 1,000 sq.m.: 1 space per 18 sq.m.</i></p> <p><i>for non-food retail:</i>  <i>up to 1,000 sq. m.: 1 space per 25 sq.m.</i>  <i>over 1,000 sq.m.: 1 space per 22 sq.m.</i></p> <p>Note            In the Core Commercial Area, for retail development or stores over 1,000 sq.m., all provision to be available for general public use.</p>	<p><i>1 space per 60 sq.m.</i></p> <p><i>1 space per 120 sq.m.</i></p>
<p><b>financial and professional services (A2)</b></p>	<p><i>1 space per 25 sq.m.</i></p>	<p><i>1 space per 166 sq.m.</i></p>
<p><b>public houses and restaurants (A3)</b></p>	<p><i>1 space per 5 sq.m of public area</i></p>	<p><i>1 space per 26 sq.m.</i></p>
<p><b>business use (B1)</b></p>	<p><i>for offices and R &amp; D:</i>  <i>up to 1,000 sq. m.: 1 space per 25 sq.m.</i>  <i>over 1,000 sq.m.: 1 space per 42 sq.m.</i></p> <p><i>for light industry: 1 space per 50 sq.m.</i></p>	<p><i>1 space per 166 sq.m.</i></p> <p><i>1 space per 330 sq.m.</i></p>
<p><b>general industry (B2)</b></p>	<p><i>1 space per 50 sq.m.</i></p>	<p><i>1 space per 330 sq.m.</i></p>
<p><b>special industry (B4 – B7)</b></p>	<p><i>1 space per 50 sq.m.</i></p>	<p><i>1 space per 330 sq.m.</i></p>

warehousing or distribution (B8)	<i>up to 10,000 sq. m.: 1 space per 100 sq.m. over 10,000 sq.m.: 1 space per 200 sq.m.</i>	<i>1 space per 330 sq.m.</i>
hotels (C1)	<i>up to 20 bedrooms: 1 space per bedroom + 1 space per 3 employees over 20 bedrooms: 0.9 space per bedroom + 1 space per 3 employees</i>	<i>0.15 space per employee 0.15 space per employee</i>
hostels (C1)	<i>1 space per 6 bedspaces + 1 space per employee</i>	<i>0.15 space per employee</i>
hospitals (C2)	<i>up to 2,500 sq.m.: 1 space per 2 bedspaces + 1 space per employee over 2,500 sq.m.: 1 space per 3 daily visitors + 1 space per 4 employees</i>	<i>0.15 space per employee 0.15 space per employee</i>
nursing homes and residential institutions (C2)	<i>1 space per 6 bedspaces + 1 space per employee</i>	<i>0.15 space per employee</i>
boarding school (C2)	<i>1 space per employee + visitors</i>	<i>0.15 space per employee + 0.15 per student</i>
residential use (C3)	<i>in the Core Commercial Area, 1 off-street space per dwelling outside the Core Commercial Area, 1.5 off-street spaces, on average, per dwelling</i> Notes <ul style="list-style-type: none"> <li>• where development is permitted which makes no provision for off-street parking, the Council can give no guarantee that on-street parking will be available. Planning permission may be subject to the completion of a section 106 planning obligation relating to the non-eligibility of future occupiers of the dwellings for residents' parking permits.</li> <li>• car parking spaces should be in locations where the vehicles can be kept under surveillance.</li> </ul>	<i>1 space per dwelling 1.5 spaces per dwelling</i>
sheltered housing (C3)	<i>1 space per 2 dwelling units + 1 space per employee</i>	<i>0.15 space per employee</i>
doctor's or vet's surgeries and health centres (D1)	<i>1 space per employee + 1 per 5 sq.m. waiting area</i>	<i>0.15 space per employee</i>
schools, crèches and day centres (D1)	<i>1 space per employee</i>	<i>0.15 space per employee + 0.15 per student</i>

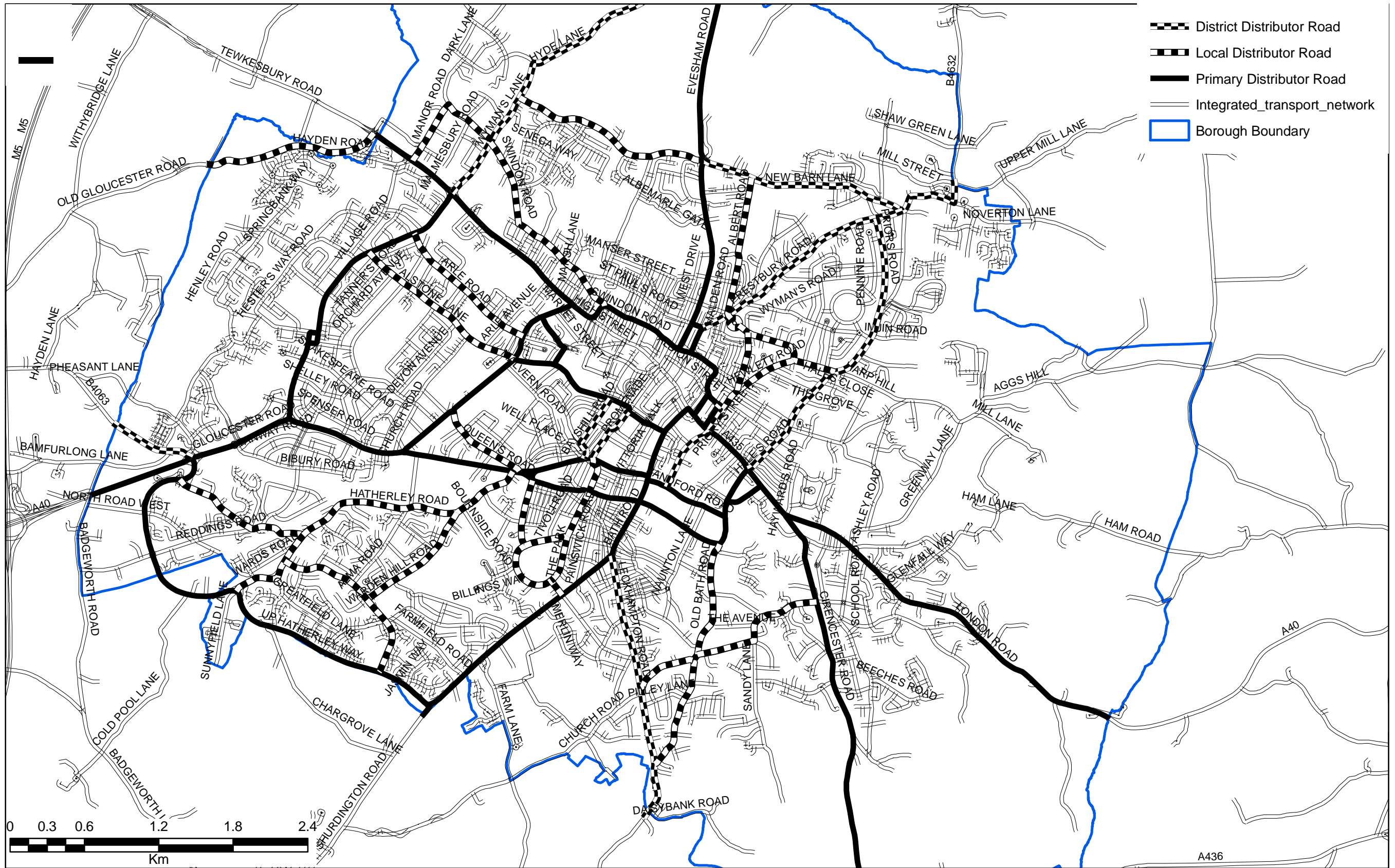
higher and further education (D1)	<i>up to 2,500 sq.m.: 1 space per employee</i> <i>over 2,500 sq.m.: 1 space per 2 employees</i>	<i>0.15 space per employee + 0.15 per student</i> <i>0.15 space per employee + 0.15 per student</i>
art galleries, museums and libraries (D1)	<i>1 space per 50 sq.m. + 1 per employee</i>	<i>1 space per 300 sq. m. public area + 0.15 space per employee</i>
public halls and places of worship (D1)	<i>1 space per 4 seats or 1 space per 5 sq.m.</i>	<i>1 space per 20 seats or 1 space per 26 sq.m.</i>
cinemas, concert halls and conference facilities (D2)	<i>up to 1,000 sq.m.: 1 space per 4 seats</i> <i>over 1,000 sq.m.: 1 space per 5 seats</i>	<i>1 space per 20 seats or 1 space per 26 sq.m.</i> <i>1 space per 20 seats or 1 space per 26 sq.m.</i>
stadia (D2)	<i>over 1,500 seats: 1 space per 15 seats</i>	<i>1 space per 20 seats</i>
other D2 uses, including leisure	<i>up to 1,000 sq.m.: 1 space per 10 sq.m.</i> <i>over 1,000 sq.m.: 1 space per 20 sq.m.</i>	<i>1 space per 66 sq.m.</i> <i>1 space per 66 sq.m.</i>
<b>CAR PARKING FOR PEOPLE WITH DISABILITIES</b>		
	Notes <ul style="list-style-type: none"> <li>• all standards are minima</li> <li>• the design of parking bays should be in accordance with DfT Traffic Advisory Leaflet 5/95</li> </ul>	
all uses	<i>for new car parks with up to 20 spaces: 1 space</i> <i>for new car parks with over 20 spaces: 5% of total car parking provision</i>	



# PLAN 9: MAIN HIGHWAY NETWORK - TOWN CENTRE

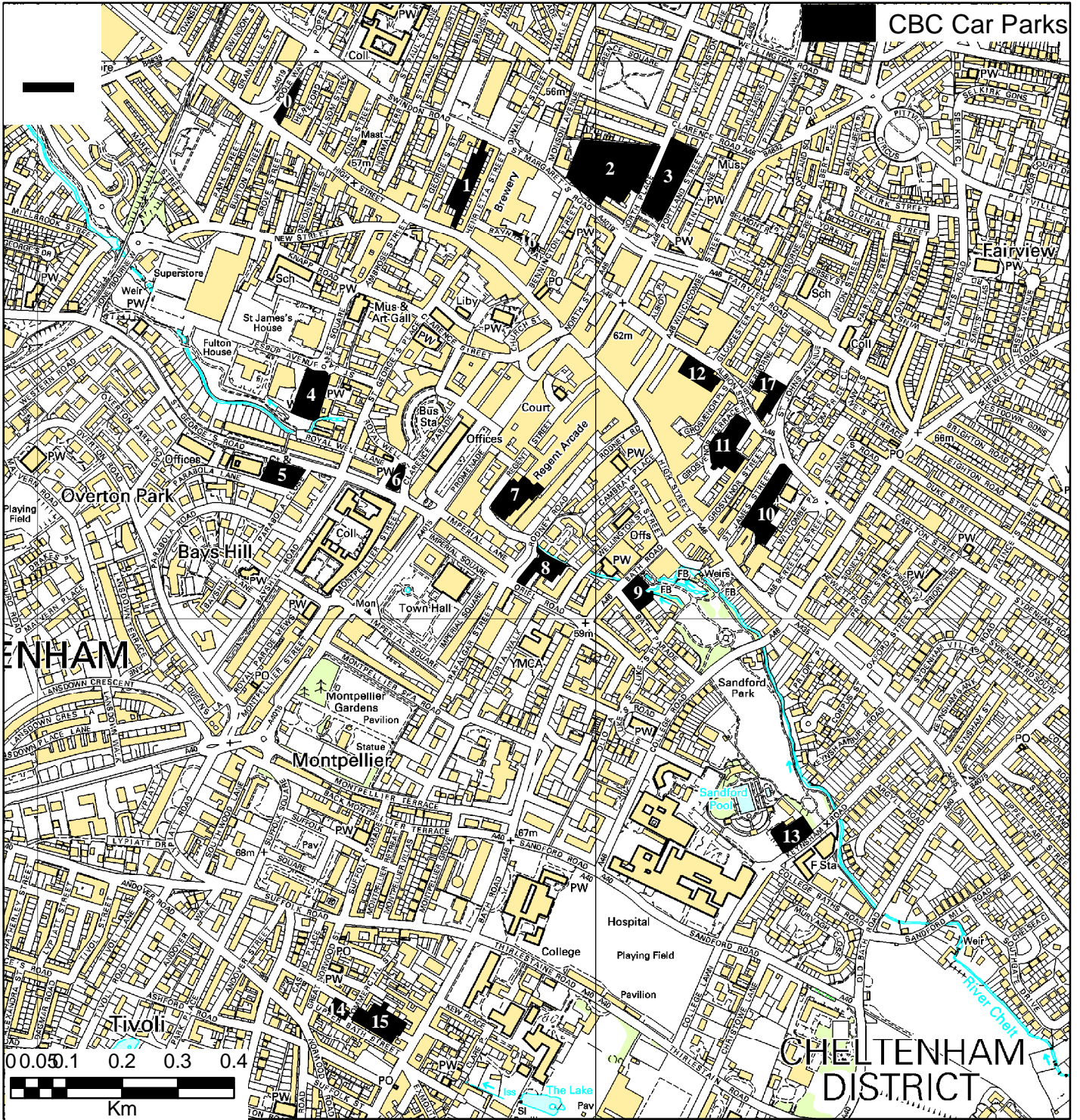


**PLAN 10: MAIN HIGHWAY NETWORK - OUTSIDE TOWN CENTRE**





# PLAN 11: LOCATION OF OFF STREET PARKING FACILITIES - TOWN CENTRE

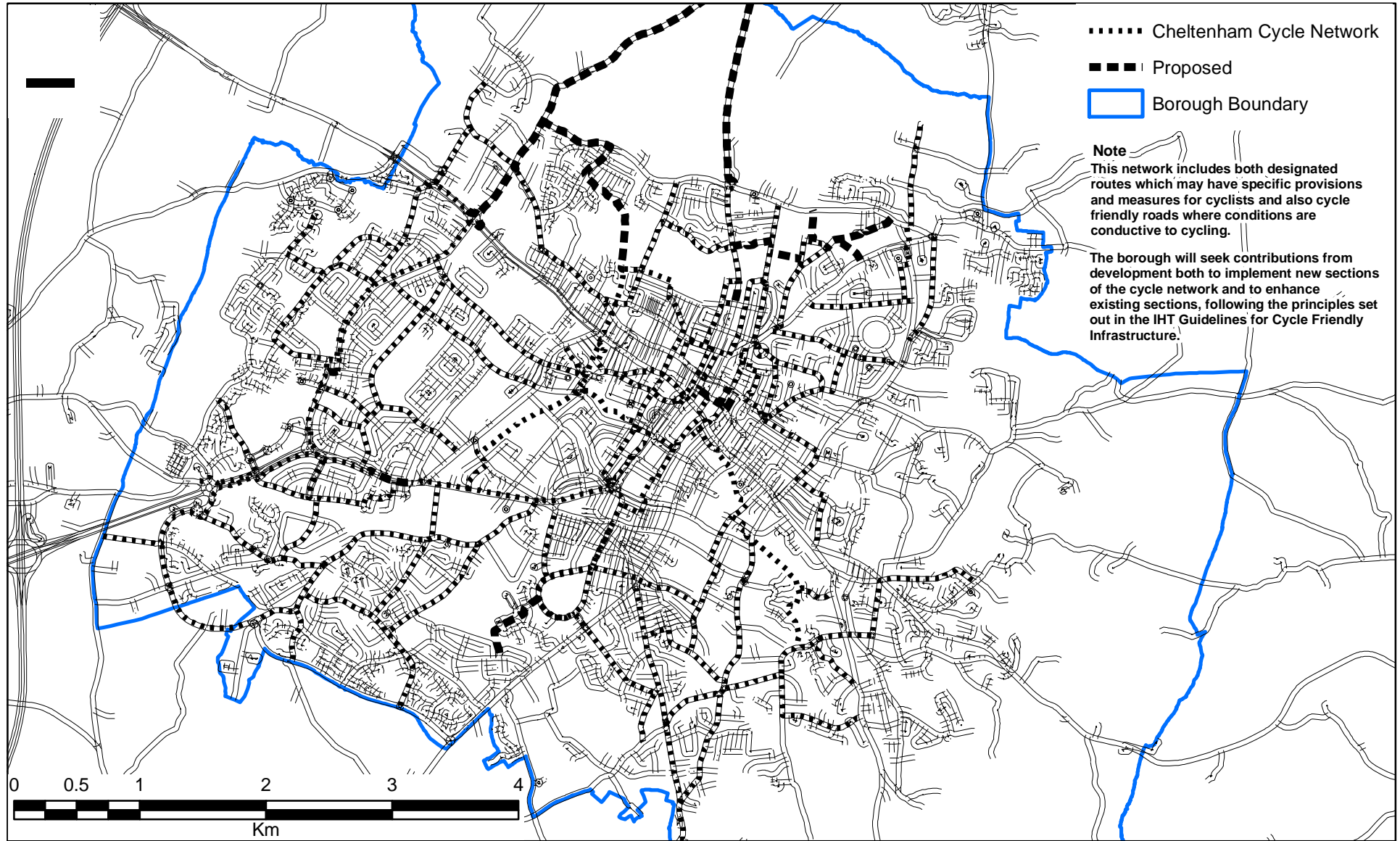


Please visit [www.cheltenham.gov.uk](http://www.cheltenham.gov.uk) to see an electronic copy of the map

- |                       |                        |
|-----------------------|------------------------|
| 0 - Phoenix Passage   | 9 - Bath Road          |
| 1 - High Street       | 10 - St. James' Street |
| 2 - North Place       | 11 - Grosvenor Terrace |
| 3 - Portland Street   | 12 - Beechwood Centre  |
| 4 - Chelt Walk        | 13 - Sandford Lido     |
| 5 - St. George's Road | 14 - Commercial Street |
| 6 - Chapel Walk       | 15 - Bath Terrace      |
| 7 - Regent Arcade     | 16 - The Brewery       |
| 8 - Rodney Road       | 17 - Sherborne Place   |

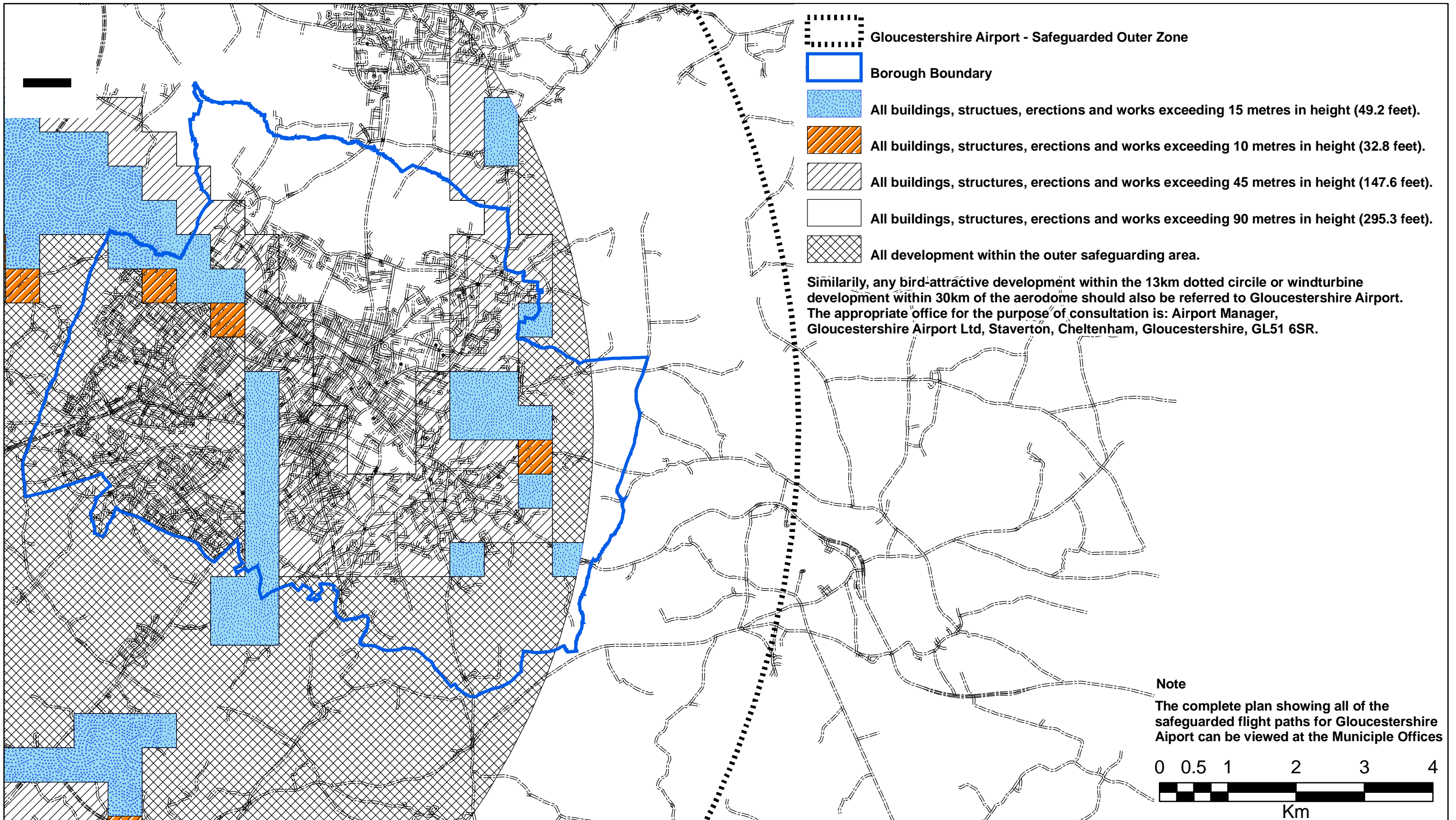
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# PLAN 12: CYCLE ROUTE NETWORK





**PLAN 13: GLOUCESTERSHIRE AIRPORT - SAFEGUARDED FLIGHT PATHS**



# 15 : MONITORING

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## **INTRODUCTION**

- 15.1 This Plan provides a framework for rational and consistent decision making as required by PPS 12 – Local Development Frameworks. In order to keep the plan up to date it is important that matters, which may affect development over the plan period, are kept under review, reflecting the Government's commitment to plan, monitor and manage.
- 15.2 Monitoring of the plan will be a continuous process; it will involve the collection of data on land use and development, which will be analysed and evaluated to inform future reviews and alteration of the plan.

## **DATA COLLECTION**

- 15.3 The collection of data is a critical part of the monitoring process. It is not proposed to undertake a comprehensive collection of data and information on all policies of the plan, but to focus on the core policies, which seek to apply the principles of sustainable development.
- 15.4 Table 17 provides a schedule of targets and indicators, which will be monitored over the plan period. The Borough Council will prepare an Annual Monitoring Report which will be made available on the Council's website.

<b>TABLE 17 MONITORING: TARGETS AND INDICATORS</b>				
<b>Associated Indicators</b>	<b>Targets</b>	<b>Indicator</b>	<b>Data Source</b>	<b>Comments</b>
<b>HOUSING</b>				
RES03a RES13a RES14 SOC02 SOC14 SOC20  BVPI106 NR11	<ul style="list-style-type: none"> <li>To meet the Structure Plan requirement of 7,350 houses by 2011</li> <li>80% of new housing to be provided on previously developed land (PDL)</li> <li>40% affordable housing on sites of 15+ dwellings/0.5 ha</li> <li>294 affordable housing units per annum to 2008</li> </ul>	<ul style="list-style-type: none"> <li>The number of houses by type and size completed on PDL and greenfield</li> <li>The number of permissions per annum</li> <li>Density of new housing development (by ward)</li> <li>Percentage of affordable housing completed and lost by type and size</li> </ul>	<ul style="list-style-type: none"> <li>Residential Land Availability Report</li> <li>Cheltenham Housing Land Availability Database</li> <li>Housing Needs Study</li> <li>Urban capacity study</li> </ul>	<p>Efficient use of land and the application of appropriate housing densities are key factors in applying the principles of sustainable development. No target has been set for assessing densities as this is a site specific variable, however data collected at the ward level can serve to highlight the distribution and location of residential development over the plan period.</p> <p>Targets for affordable housing are negotiable, taking into account material considerations. Monitoring of affordable housing units brought forward will inform the Council on the progress of meeting housing needs.</p>
<b>ECONOMY</b>				
	<ul style="list-style-type: none"> <li>The Structure Plan sets an 'indicative' net increase of about 12 hectares of employment land</li> </ul>	<ul style="list-style-type: none"> <li>Number of hectares of employment land on PDL and greenfield and amount lost</li> <li>Change of use within land use classification A1 – A3</li> </ul>	<ul style="list-style-type: none"> <li>Uniform database</li> <li>Gloucestershire workspace strategy</li> <li>Town centre study update</li> </ul>	<p>Monitoring of land within employment and retail use will assist the Council in assessing land use change over the plan period. Determining the contribution of employment and retailing to the sustained vitality and viability of Cheltenham.</p>

NATURAL ENVIRONMENT				
ENV02 ENVz		<ul style="list-style-type: none"> <li>• Change in amount of natural habitat (Greenfield, Greenbelt, AONB, SSSI, local nature reserves) in hectares</li> <li>• Change in area of parks per 1,000 population</li> <li>• Change in conservation areas, in hectares</li> </ul>	<ul style="list-style-type: none"> <li>• Uniform database</li> <li>• Green space strategy</li> </ul>	Sustainable development incorporates the protection of the built and natural environment. The preparation of a green space strategy will be central to the assessment and monitoring of open spaces, and biodiversity. Conservation area reviews will monitor changes in the historic built environment over the plan period.

Notes

**Regional indicators**

RES03a	Net dwellings on previously developed land (PDL)
RES13a	Average net housing density of new developments
RES14	Mix of type of dwelling in new housing completions
SOC 02	Annual affordable housing requirement
SOC14	Affordable dwellings completed and lost
SOC20	Stock of affordable housing
ENV02	Land within conservation designations
ENVz	Changes in greenbelt

**Best Value Performance Indicators**

BVPI106	New homes on brownfield sites
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**Local Performance Indicators**

NR11	Cumulative number of affordable homes enabled in Cheltenham
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## Part 4: Supplementary Information

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**Strategic plans**

County of Gloucestershire Development Plan	July, 1955
County of Gloucestershire Development Plan (First Quinquennial Review) <i>(includes Cheltenham Town Map Amendment Map)</i>	November 1968
The Structure Plan for Gloucestershire	October, 1981
The Structure Plan for Gloucestershire (First Alteration)	January, 1992
The Structure Plan for Gloucestershire (Second Review)	November, 1999
The Structure Plan for Gloucestershire (Third Alteration Deposit Draft)	November, 2002 (this plan not progressed to adoption)

**Local plans**

Cheltenham Central Area: Interim District Plan	April, 1978
Cheltenham Environs Local Plan <i>(prepared and adopted by Tewkesbury Borough Council – parts of its area transferred to Cheltenham Borough in 1991)</i>	November, 1985
Cheltenham Borough Local Plan	January, 1986
Cheltenham Borough Local Plan (First Review)	December, 1997
Cheltenham Borough Local Plan Second Review (Initial Deposit)	September, 2002
Cheltenham Borough Local Plan Second Review (Revised Deposit)	February, 2004
Cheltenham Borough Local Plan Second Review (Adopted)	June, 2006

The following Gloucestershire Structure Plan Second Review policies are referred to in Cheltenham Borough Local Plan Second Review. Other policies may apply in the consideration of development proposals. A full version of the Structure Plan is available from Gloucestershire County Council; alternatively the Plan may be accessed via Gloucestershire County Council's website, [www.gloucestershire.gov.uk](http://www.gloucestershire.gov.uk)

## **STRATEGY**

### **Policy S.1**

The bulk of new development should be accommodated within and adjacent to the County's larger towns at scales and locations that:

- a. maintain and enhance the predominance of Gloucester and Cheltenham as the focus for new development in the County,
- b. maintain and make them more attractive places in which to live and work,
- c. meet transport demands in safe and energy efficient ways primarily aiming at reducing the need to travel,
- d. conserve natural resources of minerals, best and most versatile agricultural land, biodiversity and high quality landscape,
- e. promote the regeneration of appropriate town centres,
- f. avoid the coalescence of existing settlements,
- g. conserve the historic and built environment.

### **Policy S.3**

Priority should be given to the development of land within existing built-up areas, particularly land available for redevelopment, where this would not be detrimental to the urban environment, and where it would be accessible by public transport and accessible to jobs, schools, shopping, leisure and other services. These areas should be utilised to their maximum efficiency, consistent with the character and appearance of the wider location and the quality of life of those living and working in the locality.

In rural areas previously developed land may exist but it may be in locations where development could be intrusive in the countryside or highly unsustainable.

### **Policy S.5**

In providing for development, local authorities will have regard to the need for community facilities and services, including education, health, and cultural facilities, local shopping facilities, sport and leisure facilities, transport services and infrastructure, housing including affordable housing and public utilities. In determining the type, scale and location of development, the adequacy of infrastructure and community services will be taken into account. Provision for development will be made where related infrastructure and community services are in place or will be provided in appropriate phases in an environmentally acceptable way.

### **Policy S.6**

In providing for development the following aspects of the environment which contribute to local character and distinctiveness should be safeguarded and wherever possible enhanced:

- a. the quality of the landscape,
- b. the setting of the settlements and buildings within the landscape,
- c. the quality of the built and historic environment,
- d. the sites and landscapes of archaeological and historic value,
- e. the distinctive wildlife and habitats,
- f. the special qualities of rivers, canals and other water courses and features.

## Policy S.7

In providing for development the quality of the County's environment should be maintained and enhanced by the following:

- a. high standards of design,
- b. urban regeneration, conservation and townscape enhancement,
- c. traffic management, and
- d. the retention and provision of open space.

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## HOUSING

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### Policy H.2

The overall housing provision will be distributed within the individual Districts as follows:

Cheltenham about	7,350 dwellings	Cotswold about	6,150 dwellings
Forest of Dean about	6,950 dwellings	Gloucester about	10,250 dwellings
Stroud about	9,400 dwellings	Tewkesbury about	9,900 dwellings

### Policy H.3

Land should be released in phases in local plans where this can be justified:

- (a) by infrastructure considerations or;
- (b) in environmentally constrained areas, where there is evidence that severe development pressures would lead to the early exhaustion of total planned housing provision.

Phasing will need to be sufficiently flexible to take account of changes in land supply including the emergence of unidentified sites.

#### Policy H.4

Most residential development will be provided in the Central Severn Vale. Development should be provided in locations where employment, leisure, commercial and community facilities can be integrated and where there are opportunities to maximise the use of public transport. In providing for residential development priority will be given to development within Gloucester and Cheltenham and then to locations adjacent or close by which are or can be easily and conveniently accessed by means of transport other than the private car.

In those areas of Tewkesbury Borough and Stroud District outside the Central Severn Vale development will mostly be provided within and adjacent to the existing towns of Tewkesbury/Ashchurch and Stroud/Stonehouse.

In the Forest of Dean District, development serving the needs of the District will mostly be provided within and adjacent to Cinderford, Coleford and Lydney, in accordance with Policies S.1–S.7.

In Cotswold District, development serving the needs of the District will mostly be provided within and adjacent to Cirencester, development in other settlements will only be provided where environmental and other constraints can be satisfactorily accommodated in accordance with Policies S.1- S.7.

### Policy H.7

Provision should be made to meet the needs of those unable to compete in the housing market. Such provision should meet a demonstrable local need and any housing so provided should be available to successive occupiers who need affordable accommodation.

### Policy H.8

Provision should be made for a range of dwellings in terms of location and size to meet local requirements.

## Policy H.9

Provision should be made for residential densities at a level, which makes the best use of land consistent with environmental considerations.

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### EMPLOYMENT

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## Policy E.1

Provision will be made for a choice of employment sites to provide for flexibility and competition in meeting the social and economic needs of communities. This will be encouraged by the provision of employment land in each District in accordance with the following indicative distribution:

Cheltenham about	12 hectares	Cotswold about	65 hectares
Forest of Dean about	75 hectares	Gloucester about	95 hectares
Stroud about	100 hectares	Tewkesbury about	160 hectares

## Policy E.5

Existing employment sites will be safeguarded for employment use except where the site is not required to meet existing or future employment needs, where employment use creates unacceptable environmental or traffic problems, or an alternative use or mixed-use development would offer local community benefits which outweigh the loss of the employment use.

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### TRANSPORT

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## Policy T.7

Disused railway lines and canals which are used, or which have the potential for future use, as continuous transport corridors should be protected from development which would impair such use.

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### GREEN BELT

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## Policy GB.1

The Green Belt between Gloucester and Cheltenham and north of Cheltenham will be maintained. Within the Green Belt only appropriate development which would not compromise the open character of the Green Belt or which would not contribute to the coalescence of settlements will be permitted.

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### TOWN CENTRES

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## Policy TC.1

The vitality, viability and character of existing town, district and local centres should be sustained and enhanced. A hierarchy of centres for Gloucestershire will comprise:

- (a) Cheltenham and Gloucester sub-regional town and city centres;
- (b) Stroud, Tewkesbury, Cirencester and Dursley town centres;
- (c) district centres in Gloucester and Cheltenham;
- (d) other centres in principal settlements;
- (e) local centres.

Provision should be made in centres for shopping, employment, leisure and other uses which generate many trips, provided that the development is of a scale consistent with the function and character of the centre, its catchment and role in the hierarchy, and it would sustain and enhance the vitality and viability of the centre. Mixed use development, including housing, will be encouraged. The regeneration of appropriate centres will be promoted by special strategies and proposals in local plans, to include where necessary land assembly.

## **Policy TC.2**

Provision for development which generates many trips will be made within town centres. Where there is a demonstrated need for such development and where suitable options for such uses are not available in town centres, preference will be for edge-of-centre locations; followed by district and then local centres (both subject to Policy TC.1); and only then out-of centre sites in locations which are easily accessible by a choice of means of transport. Provision will not be made for development, which would have any of the following effects:

- (a) cause harm to the development plan strategy;
- (b) when considered with any other recent or proposed schemes, unacceptably affect the vitality and viability of any centre;
- (c) not be easily accessible by public transport, cycling and walking;
- (d) result in a significant increase in the number and length of car-based trips;
- (e) create unacceptable adverse environmental or traffic impact;
- (f) result in an unacceptable limitation of the range and quality of allocated sites for other uses.

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## **ENERGY**

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### **Policy EN.3**

Proposals for the development of renewable sources of energy will be encouraged, particularly where there are benefits to the local community. Renewable energy proposals will be permitted provided that the proposed development:

- (a) would not adversely affect the special character of the Areas of Outstanding Natural Beauty or sites of nature conservation or heritage conservation interest; and
- (b) would not cause demonstrable harm to:
  - i. Special Landscape Areas or sites of special nature conservation or heritage interest as defined in local plans; or
  - ii. areas or facilities of special importance for tourism and recreation; or
  - iii. the amenity of nearby dwellings or residential areas; and
- (c) would not dominate any prominent skyline or vista as defined in local plans; and
- (d) would not result in an unacceptable level of visual impact; particular regard will be had to the cumulative impact of existing, planned or proposed renewable energy developments; and
- (e) is justified, where necessary, in terms of national energy policies of local and regional requirements; and
- (f) is accompanied by adequate information to indicate the extent of possible environmental effects and how they can be satisfactorily mitigated.

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## **NATURAL AND HISTORIC ENVIRONMENT**

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### **Policy NHE.1**

The countryside's character, appearance and non-renewable and natural resources will be protected from harmful development unless the social and economic needs of the area or wider environmental objectives outweigh such harm.

### **Policy NHE.2**

Development will be required to protect and, wherever possible, enhance the biodiversity, including wildlife and habitats, of the County.

Potential and classified SPAs, candidate and designated SACs, and Ramsar sites will be protected from development that is likely to affect their integrity.

SSSIs and NNRs will be protected from development which would have a significant effect on their nature conservation interest.

Local Plans should identify:

- (a) sites of nature conservation importance including unfragmented and linear features such as small woods, traditional field boundaries, ponds and disused railways which act as wildlife corridors or stepping stones; and
- (b) appropriate targets for the enhancement of biodiversity.

### **Policy NHE.3**

The best and most versatile agricultural land (grades 1, 2 and 3a) will be protected from development. Provision will only be made for development affecting such land exceptionally if there is an overriding need for the development and either sufficient land of a lower grade (grades 3b, 4 and 5) is unavailable; or available lower grade land has an environmental value recognised by a statutory wildlife, historic or archaeological designation, and outweighs the agricultural considerations. If best and most versatile land needs to be developed and there is a choice between different grades, land of the lowest grade available should be used.

### **Policy NHE.4**

In Areas of Outstanding Natural Beauty the conservation and enhancement of the natural beauty will be given priority over other considerations. Regard will also be had to the economic and social well-being of the AONB.

Provision should not be made for major development within the AONB unless it is in the national interest and the lack of alternative sites justifies an exception.

### **Policy NHE.6**

The distinctive historic environment of the County will be conserved and enhanced.

Scheduled Ancient Monuments, Listed Buildings, Conservation Areas, and their settings will be preserved.

Historic settlements and landscape, historic parks and gardens, and sites of archaeological importance will be protected from the adverse effects of development.

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## RECREATION

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### Policy RE.1

The retention and provision of a wide range of recreational facilities in urban areas and all principal settlements, to meet local and sub-regional needs, will be supported. Local Plans will give special consideration to:

- (a) areas which are deficient in recreational facilities;
- (b) facilities which provide for as wide a range of the population as possible;
- (c) increased accessibility for all potential users particularly by public transport, cycling and walking; and
- (d) local scale of provision of a non-specialist nature, for example local halls capable of some recreational uses, will be encouraged provided they are well related to the communities they serve.

### Policy RE.2

A high standard of open space provision in new residential development will be required. Existing playing fields and recreational areas will be retained.

### Policy RE.3

Improved public access to the countryside will be encouraged subject to there being no adverse impact on the natural and historic environment or on agriculture.

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## FLOODING AND FLOOD RISK

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### Policy F.1

Provision will not be made for development where it would be at direct risk from flooding and/or would increase the risk of flooding elsewhere.

Local Plans will define areas of flood risk.

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## TELECOMMUNICATIONS

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### Policy TEL.1

Provision will be made for telecommunication structures where their visual impact is minimised by careful positioning and design. Priority will be given to the conservation and enhancement of the natural beauty of Areas of Outstanding Natural Beauty.

Consideration should also be given to their cumulative effects, and opportunities to use existing structures should be maximised.



Regional Planning Guidance for the South West may be viewed via the Government Office for the South West website, [www.gosw.gov.uk](http://www.gosw.gov.uk)

### Transport Accessibility Criteria

This section sets out criteria for accessibility that should be used to assess new development. These can also indicate where improvements are likely to be needed to the accessibility of existing development. There are separate criteria for residential and non-residential development, reflecting the different patterns of travel associated with these two categories.

These are minimum criteria, applying across the South West region as a whole. Local authorities are encouraged to set tighter standards where these would be appropriate. The national policy context for developing transport accessibility criteria is still developing and the target distances for accessibility criteria have not been rigorously tested at the local level. The criteria set out below should therefore be considered as interim guidance. The early review of the Regional Transport Strategy to take account of the results of transport studies, should review the accessibility criteria set out below in the light of local experience and emerging national policy.

### Interim Transport Accessibility Criteria

#### Residential Development

Residential development should be proposed within walking distance of a food shop and a primary school.

Major residential development should be within walking distance, or should have access by public transport\*, to employment, convenience and comparison shopping, secondary and tertiary education, primary and secondary health care, leisure and other essential facilities.

In most cases this will involve public transport services to and from the centre of a PUA, Other Urban Area and/or to other key facilities where these are located outside the town centre(s).

Provision should also be made for cycling between the development and the nonresidential facilities referred to, where these lie within 4 Km of the development.

*See tables below for definitions of walking distances and public transport access.*

#### Non-residential development

All major non-residential development should be accessible within walking distance\* and/or by public transport\* to a majority of its potential users.

Provision should also be made for cycling between the development and its catchment area, where this lies within 4 km of the development.

*\*See tables below for definitions of reasonable walking distances and adequate public transport access.*

**Table 1: Desirable Maximum Walking Distance (Interim Criteria)**

For residential developments, this table defines the maximum distances within which facilities are considered to be within reasonable walking distance of the development. For non-residential developments, it defines the pedestrian catchment area of the development.

Facility	Target Distance	Maximum Distance
Food shop, primary school	300m	600m
Other non-residential facilities	600m	1000m
Bus stop	200m	400m
Bus station	-	600m
Railway station	-	800m

**Table 1: Notes:**

- The Target distance is the maximum desirable distance that people should be expected to walk and should usually apply as a maximum in PUAs and other significant towns.
- The maximum distance should apply throughout the rest of the region, but only exceptionally in PUAs and other significant towns.
- Steep gradients will effectively reduce these distances.
- All walking routes must be safe, i.e. provided with footways and crossing facilities where necessary and lit at night.
- Footpaths should be designed to ensure natural surveillance from adjacent property.

**Table 2: Maximum Public Transport and Car Travel Times**

For **residential developments**, this table defines the maximum travel times within which facilities are considered to be adequately accessible by public transport from the development. The user should refer to the “public transport” column corresponding to the area where the development is located and ignore the “car” columns.

For **non-residential developments**, the table defines the relative catchment areas of the development by public transport (PT) and car. The user should refer to the “PT” and “car” columns corresponding to the area where the development is located in order to assess the relative accessibility of the site

	Travel Time (minutes)			
	PUAs/urban areas*		Other areas	
	PT	Car	PT	Car
Shopping and education	25	15	45	30
Other non-residential facilities	30	20	60	40

**Table 2: Notes:**

- Public transport times include walking to bus stop / station, transport time (including any interchange) and walking from the bus stop / station.
- Desirable maximum walking distances to and from bus stops and bus and railway stations are shown in Table 1 above.

**Table 3 : Interim Criteria for Adequate Public Transport**

- Public transport service should be accessible within walking distance from both journey origin and destination and provide a frequency of service and hours of operation suitable for the journey purpose.
- Public transport services must operate during all the hours that the non-residential facility is open to users, including staff working hours.
- The frequency of public transport services should correspond to existing best practice in the area where the development is located, subject to minimum frequencies as follows:

**Table 3: Ideal Frequencies To Ensure Maximum Accessibility By Public Transport (Interim Criteria)**

	PUAs	Other Urban Areas	Other areas
Mon – Sat 0700 – 1900	15 minutes	30 minutes	60 minutes
Evenings and Sundays	30 minutes	60 minutes	120 minutes

**Car Parking and Accessibility: Definitions Used**

In the context of parking and accessibility the following descriptions have been used

PUAs	Principal Urban Areas
Major development	As defined in PPG13 as those requiring transport assessments, or residential sites in excess of 100 dwellings
Relative Accessibility	The proportion of potential users who have a choice of mode to travel to the development site relative to the total potential users within the car based catchment,
Modal Split	The proportion of travel by alternative modes
Transport Assessments	The assessment of traffic and travel implications of the proposed development

Environmental Impact Assessment (EIA) is a procedure, which makes an assessment of any likely significant environmental effects of proposed developments. EIA enables environmental factors to be appropriately considered alongside economic and social factors, assisting public authorities with environmental protection responsibilities to identify the likely effects of development proposals at an early stage in the development process.

The requirement for an EIA comes from the European Directive 85/33/EEC (amended by 97/11EC). This Directive, incorporated into the Town and Country Planning (Environmental Impact Assessment) Regulations 1999 [Circular 2/99], requires developers to prepare an environmental statement, describing the likely significant effects of development on the environment and proposed mitigation measures.

The Regulations provide two schedules, which list:

Schedule 1 where development is required in every case,

Schedule 2 where a development is judged likely to give rise to significant environmental effects.

The more environmentally sensitive the location, the more likely it is the effects of development will be considered to be significant, thus requiring an EIA. Schedule 2 of the Regulations identifies projects, such as industrial estate development, urban redevelopment schemes and local road construction, which merit EIA if they are one of the following:

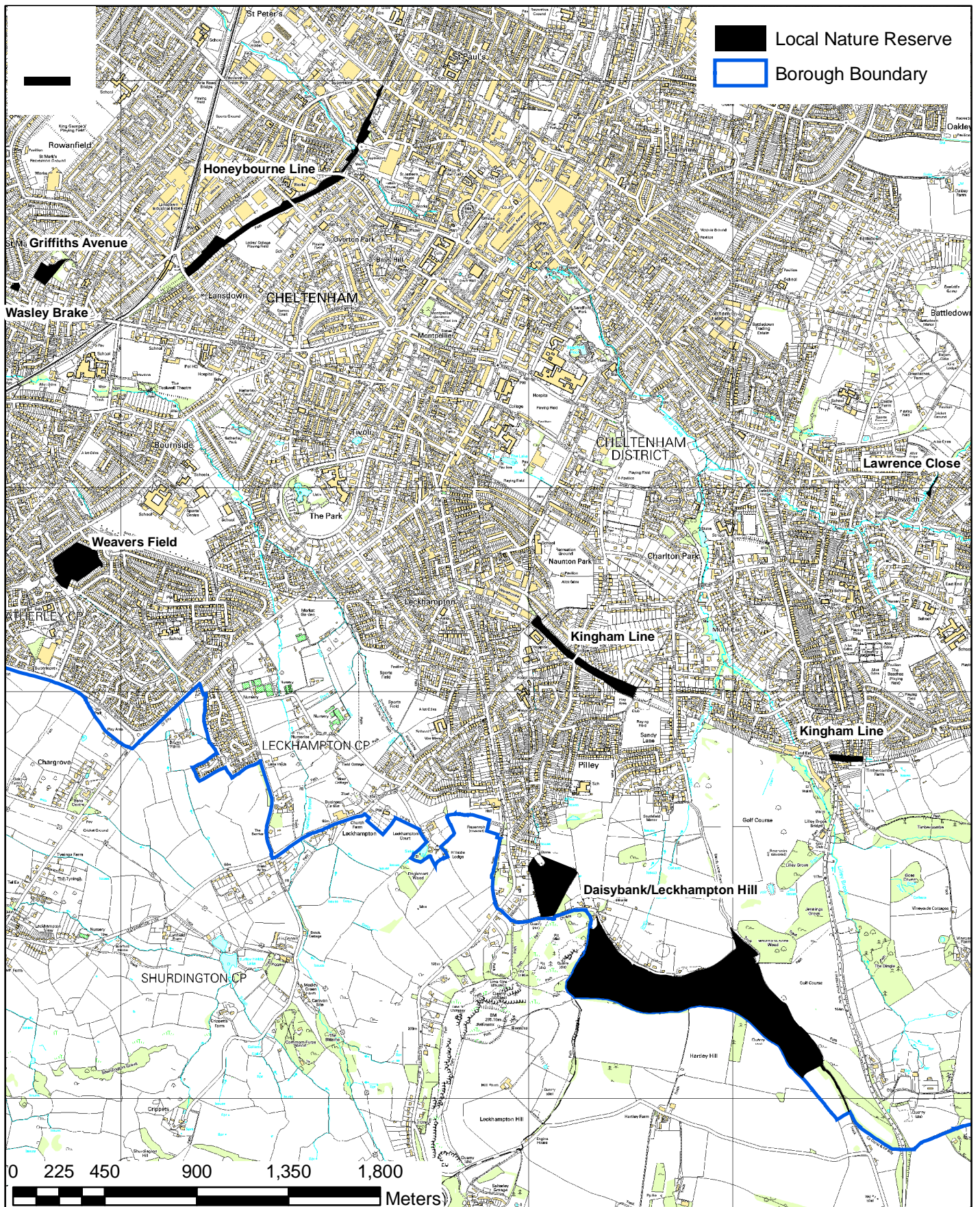
- (i) major projects of more than local importance
- (ii) small scale projects in a particularly sensitive or vulnerable location (e.g. AONB, SSSI, nature reserves and so on. Urban locations are regarded as sensitive areas because of the heavy concentration of people and homes);
- (iii) projects with unusually complex and potentially adverse environmental effects.

There may, however, be other circumstances in which 'Schedule 2 projects' require EIA. The basic tests of the need for EA is the likelihood of significant environmental effects resulting from a project by virtue of such factors as its nature, size or location. To determine this, consideration will be given to the following aspects: human beings; flora; fauna; soil; water; air; climate; landscape; the interaction between any of the foregoing; material assets; and the cultural heritage. Obviously not all will be relevant in each case.

Detailed guidance on EIA is available from the Department of Communities and Local Government, Environmental Impact Assessment: a guide to the procedures.

[www.communities.gov.uk](http://www.communities.gov.uk)



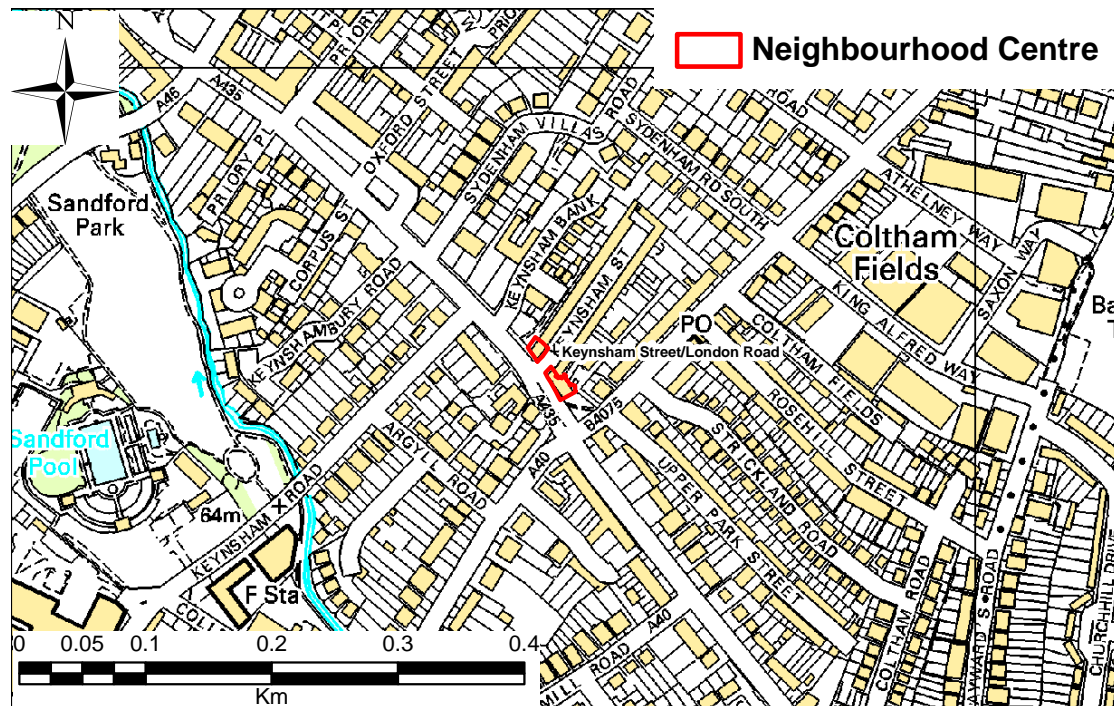


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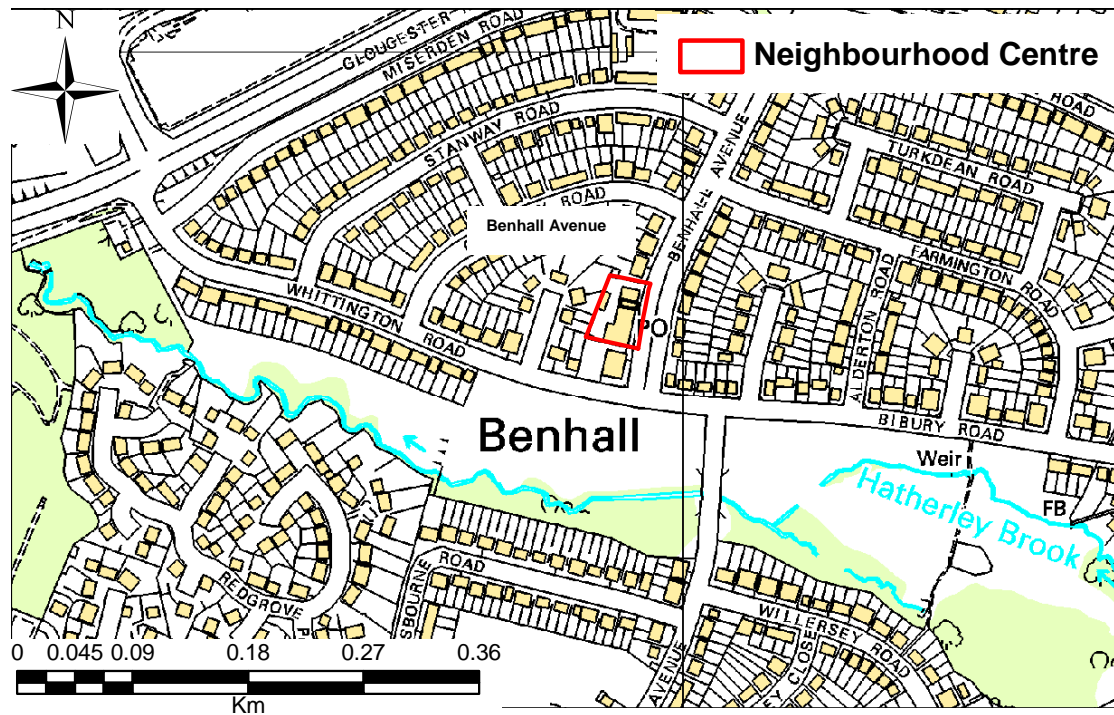


APPENDIX 6: NEIGHBOURHOOD CENTRES (ALL SAINTS)



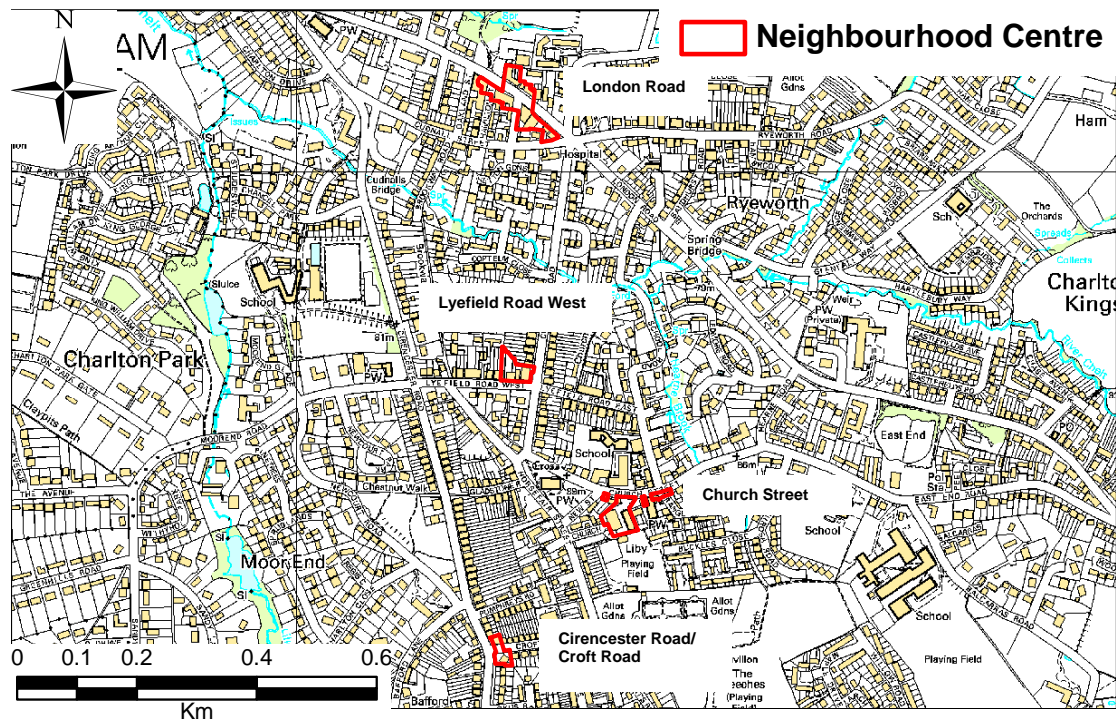
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APPENDIX 6: NEIGHBOURHOOD CENTRES (BENHALL AND THE REDDINGS)



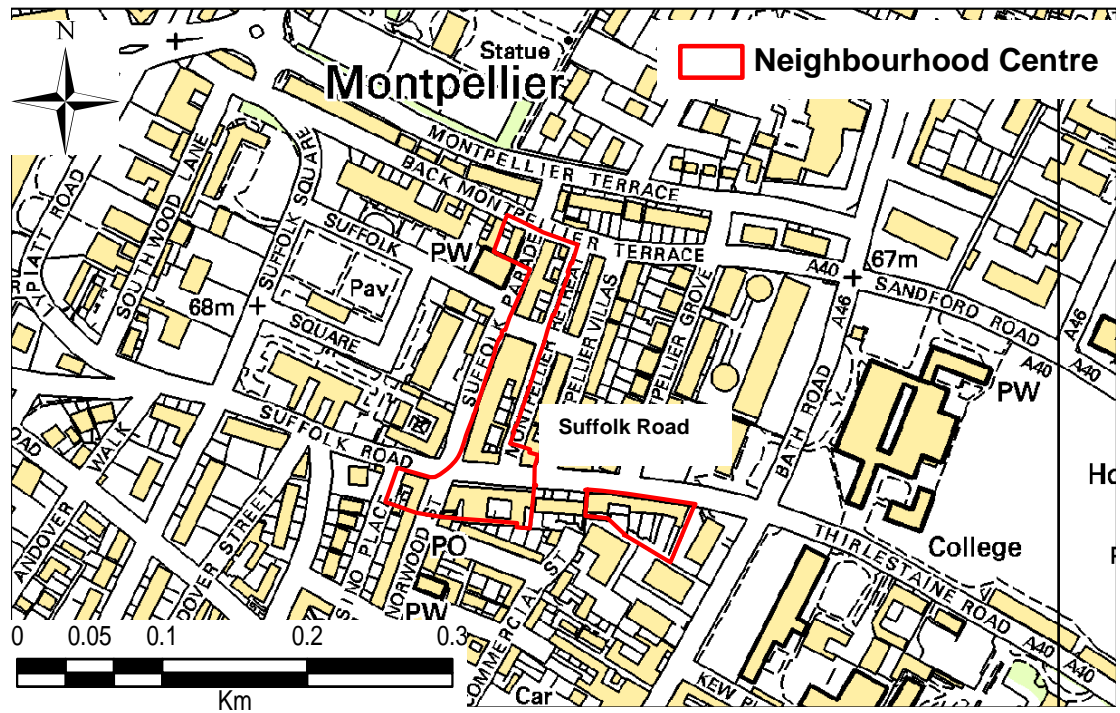
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APPENDIX 6: NEIGHBOURHOOD CENTRES (CHARLTON KINGS)



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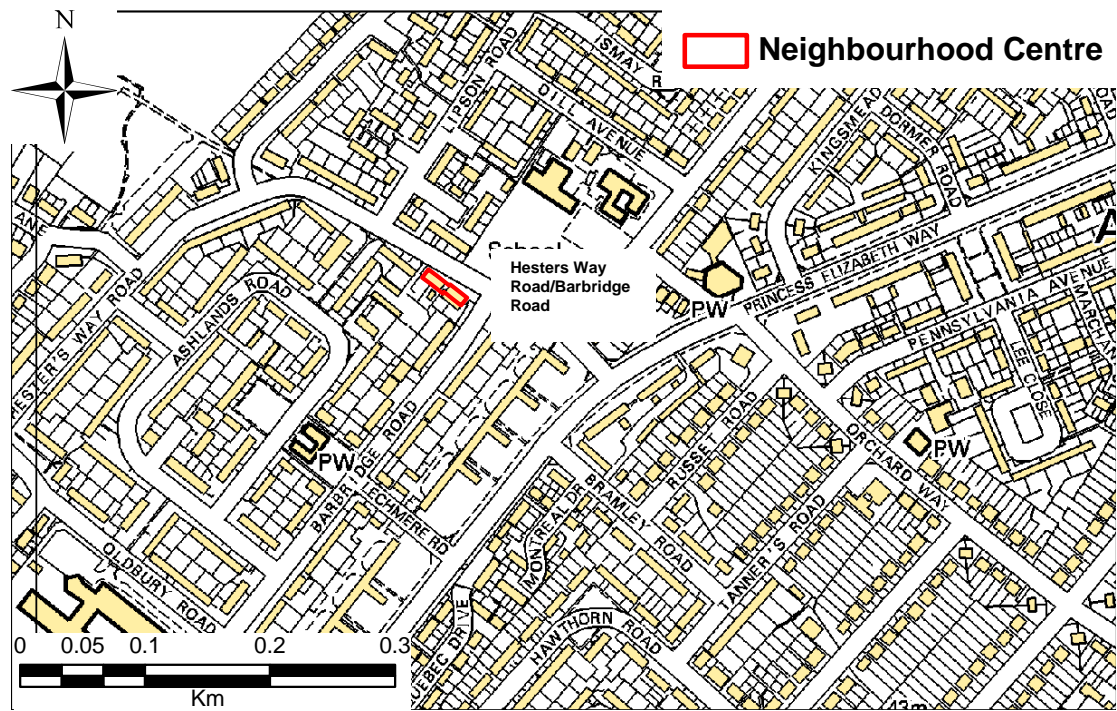
APPENDIX 6: NEIGHBOURHOOD CENTRES (COLLEGE)



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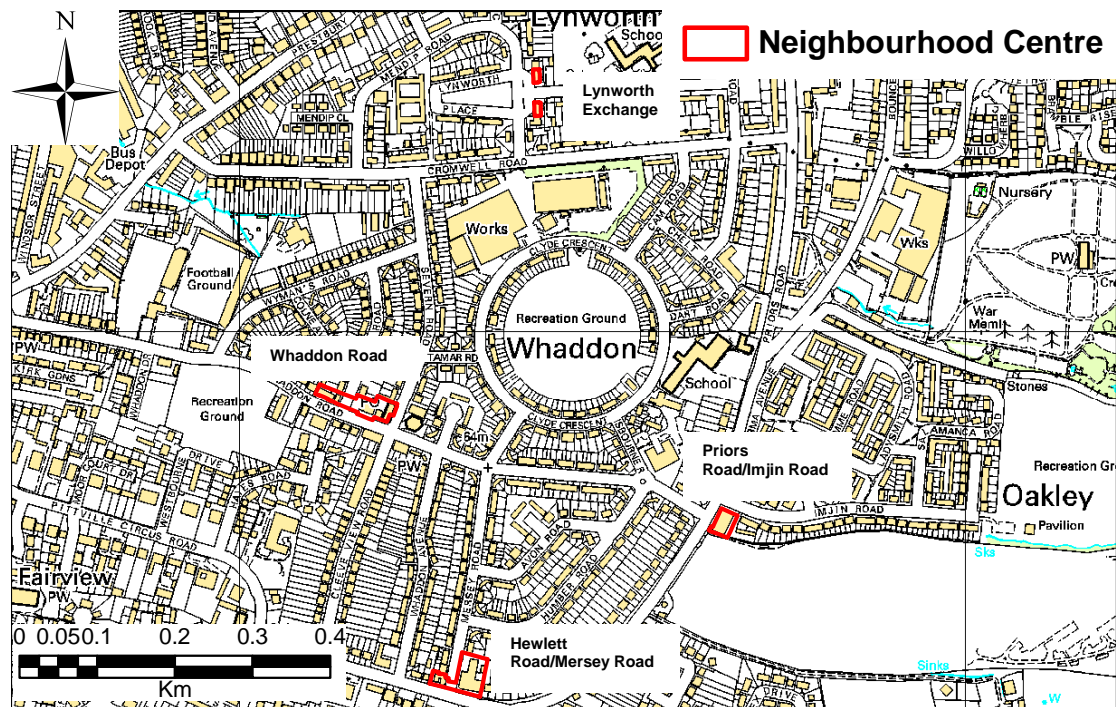


APPENDIX 6: NEIGHBOURHOOD CENTRES (HESTERS WAY)



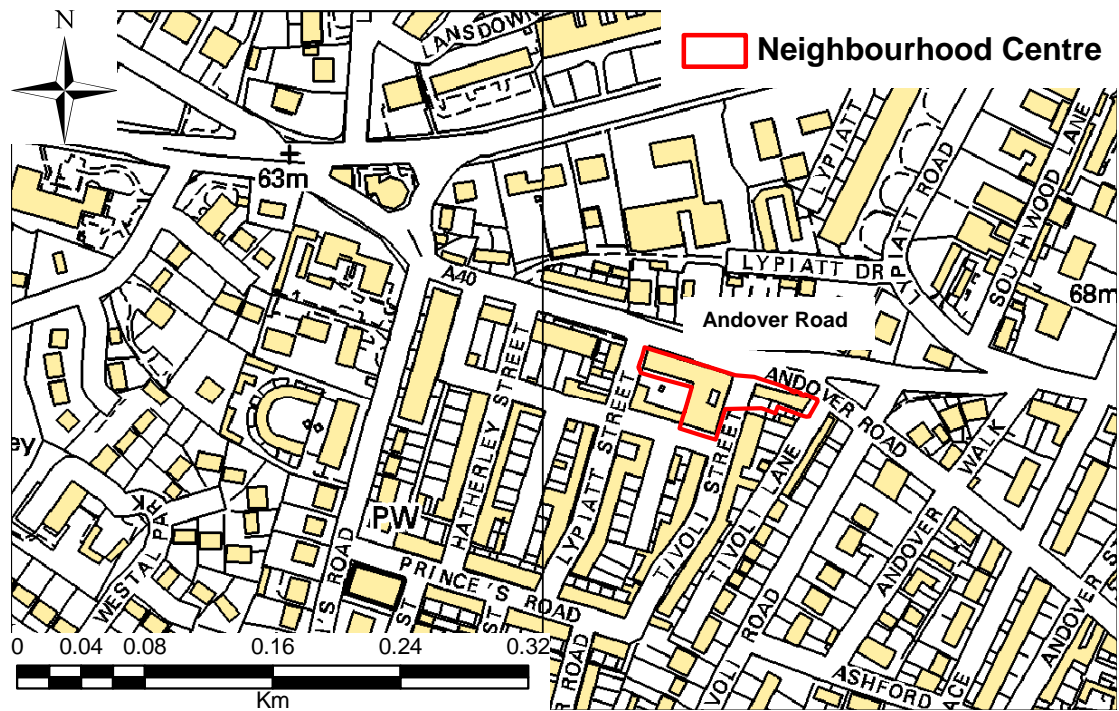
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APPENDIX 6: NEIGHBOURHOOD CENTRES (OAKLEY)



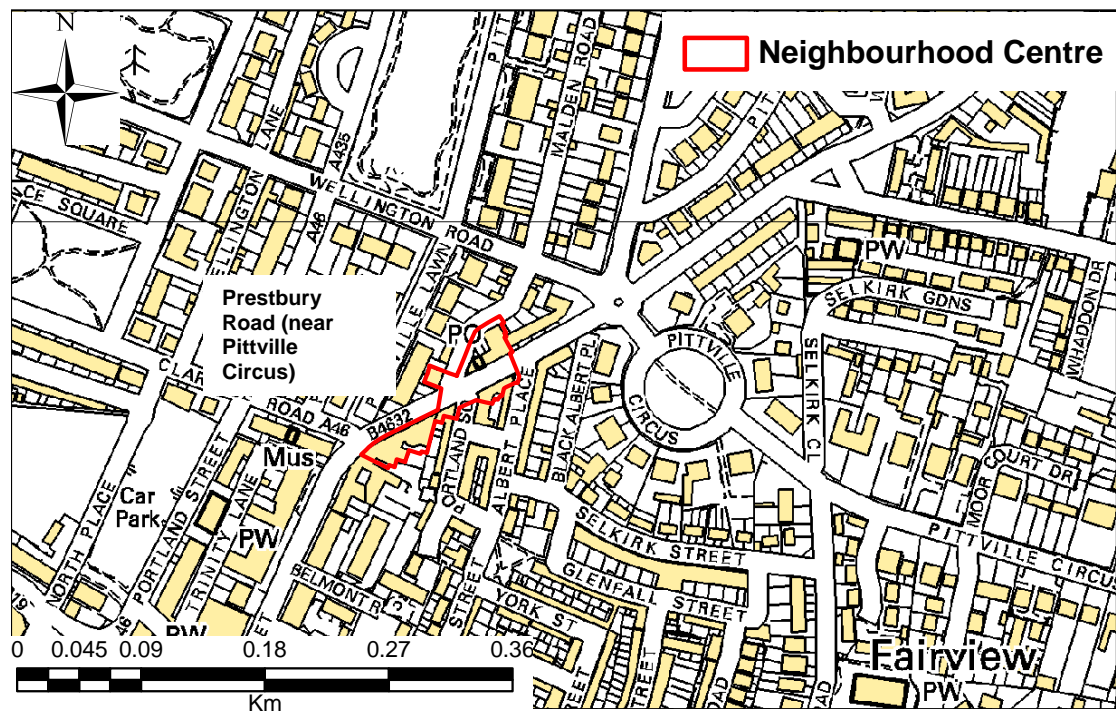
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## APPENDIX 6: NEIGHBOURHOOD CENTRES (PARK)



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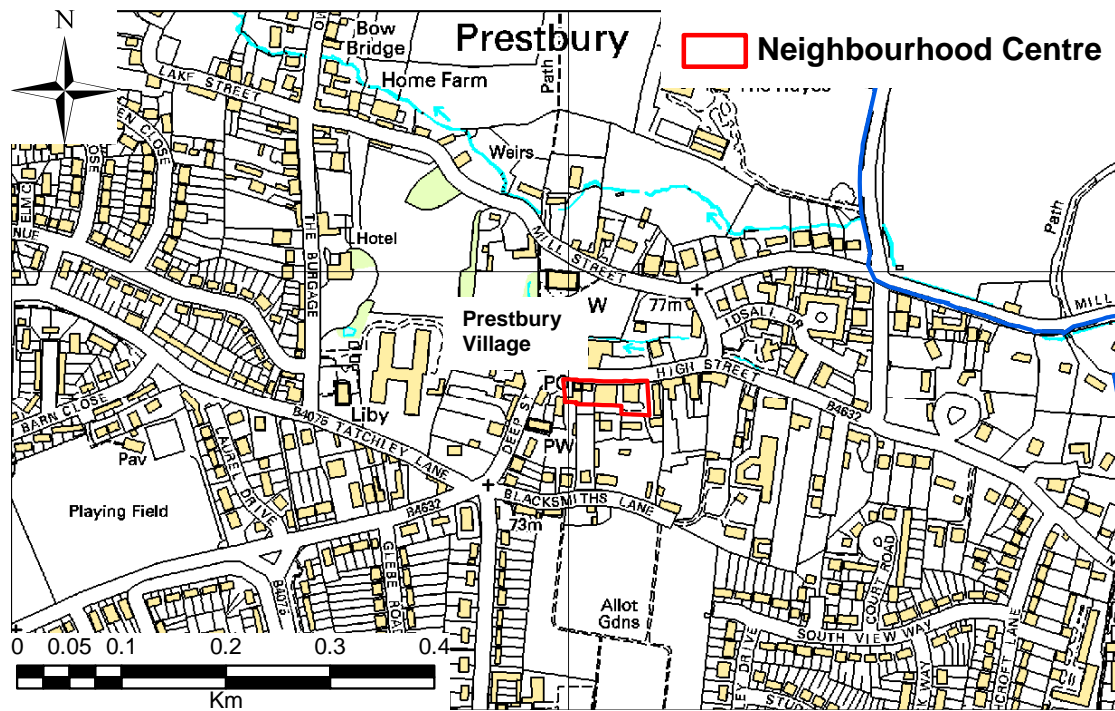
## APPENDIX 6: NEIGHBOURHOOD CENTRES (PITTVILLE)



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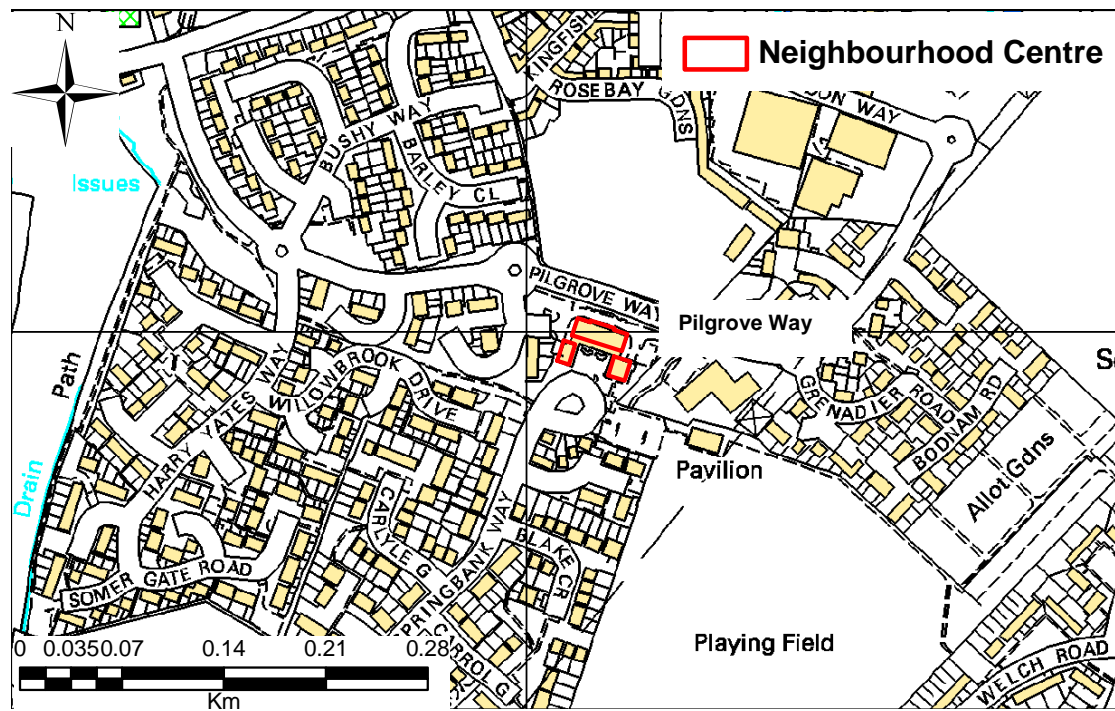


APPENDIX 6: NEIGHBOURHOOD CENTRES (PRESTBURY)



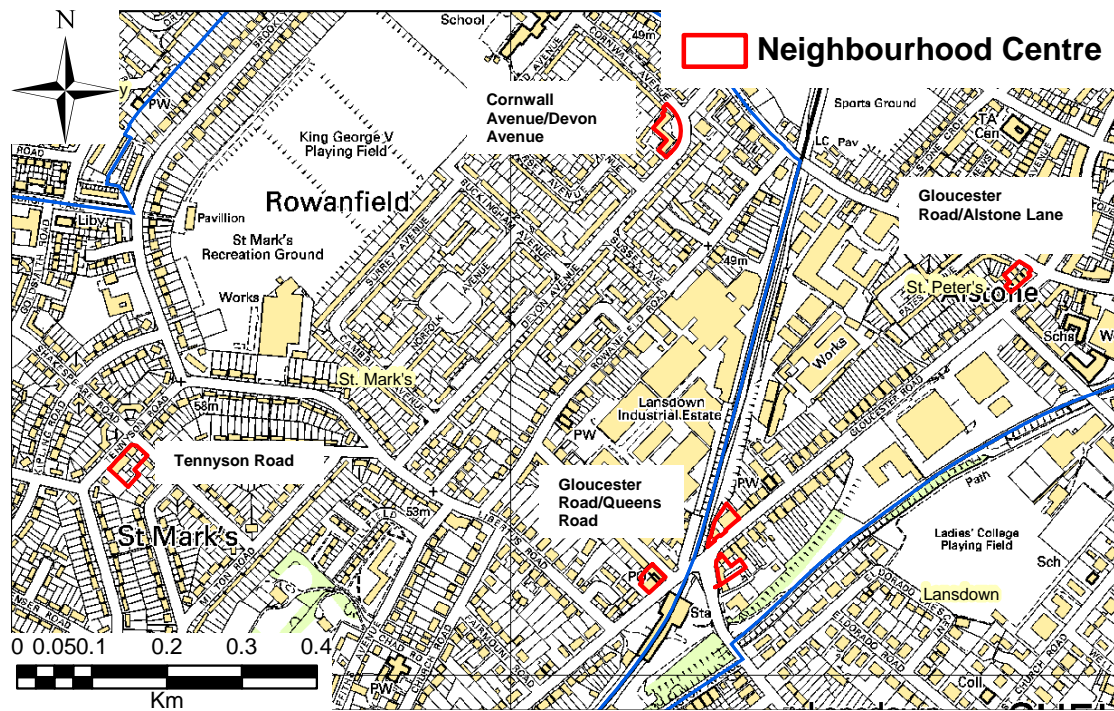
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APPENDIX 6: NEIGHBOURHOOD CENTRES (SPRINGBANK)



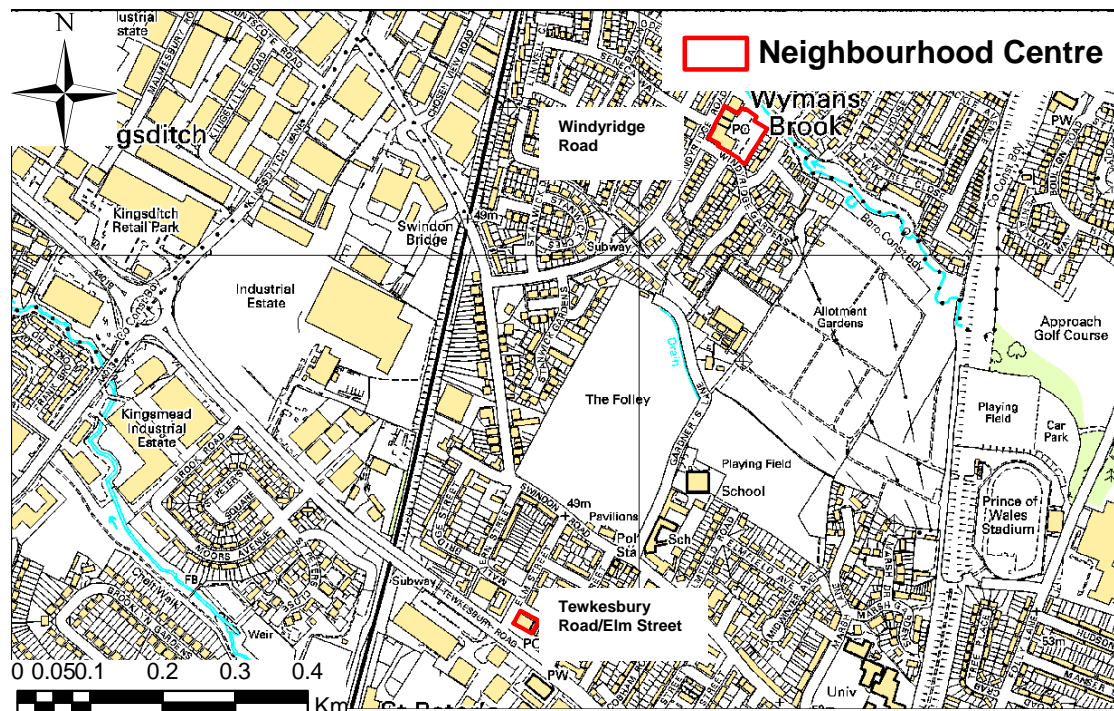
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APPENDIX 6: NEIGHBOURHOOD CENTRES (ST. PETERS/ST. MARKS)



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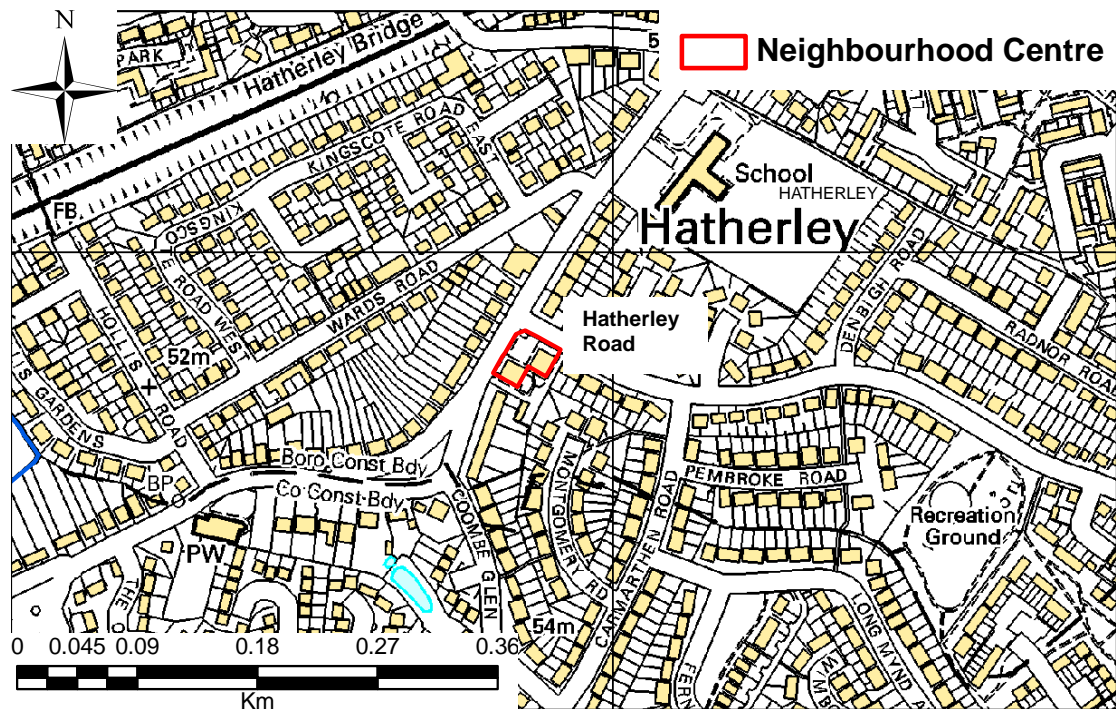
APPENDIX 6: NEIGHBOURHOOD CENTRES (SWINDON VILLAGE)



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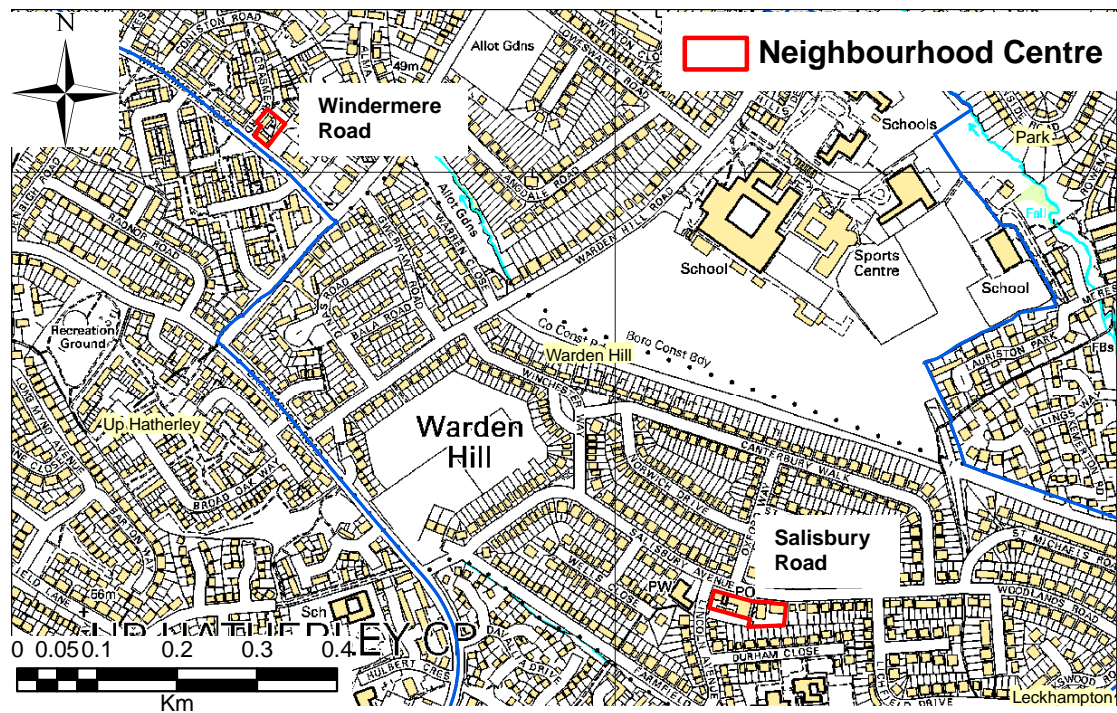


APPENDIX 6: NEIGHBOURHOOD CENTRES (UP HATHERLEY)



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APPENDIX 6: NEIGHBOURHOOD CENTRES (WARDEN HILL)

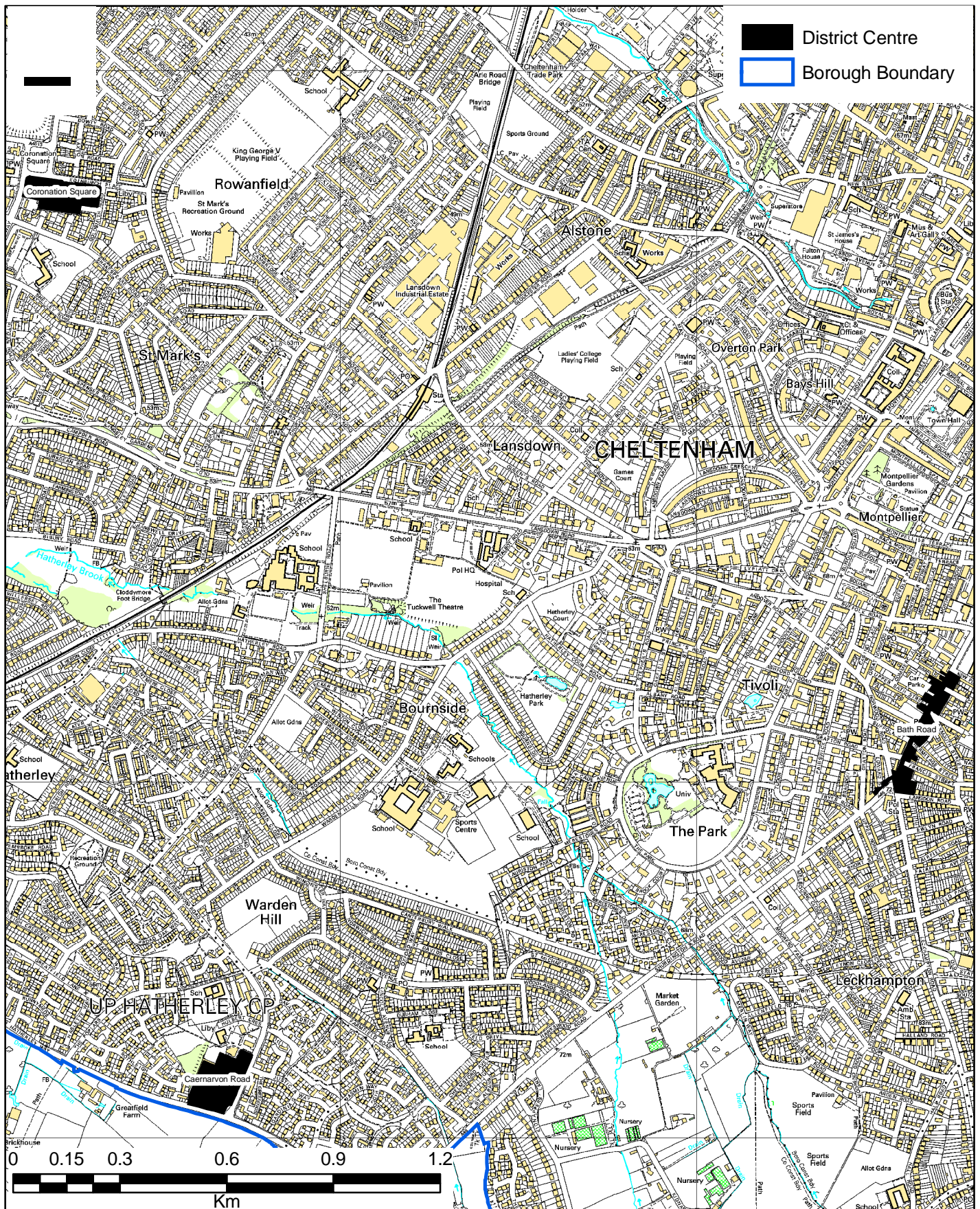


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# DISTRICT CENTRES

# APPENDIX 6



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<b>Accessibility</b>	Term used to describe availability of services and facilities and ways in which all members of society can reach them.
<b>Adult Outdoor Playing Space</b>	Facilities such as playing fields, courts, greens and athletics tracks for formal outdoor play by youths and adults.
<b>Affordable Housing</b>	Accommodation of a suitable size and type at a price that can be afforded in perpetuity by new and low-income households.
<b>Agricultural Land Grades</b>	A classification of agricultural land by the Ministry of Agriculture, Fisheries and Food into five grades (with sub-division of grade 3 into three sub-grades) according to the degree to which its physical characteristics impose long term limitations on agricultural use.
<b>Allocation</b>	The assignment of land in the local plan, primarily for a particular use. Allocations are shown on the local plan proposals map.
<b>Amenity Space</b>	<p>Generally undeveloped green space and planting within residential development, which reduces the density of development, softens the urban fabric and provides a setting for buildings. Amenity space may also include areas of hard landscaping which makes a positive contribution to the quality of the public realm.</p> <p>Amenity space secures a more attractive townscape and pleasant living environment. Although it does not have to be suitable for play to fulfil an amenity function, it can by default be usable for informal play and recreation. Amenity space includes grass verges and visibility splays provided principally for highway purposes, and areas of paving which assist in creating variety in the type and character of spaces. Amenity space can be private individual or communal garden land, or in the wider public domain outside of private property boundaries.</p>
<b>Ancillary Goods</b>	Products sold by retailers as accessories to the principal goods sold, often-small higher value goods, which occupy a very small proportion of total floorspace.
<b>Area of Outstanding Natural Beauty (AONB)</b>	The National Parks and Access to the Countryside Act 1949 makes provision for the designation of land as AONB. The primary purpose of designation under this act is to conserve an area's natural beauty. The Cotswolds AONB was designated in 1966.
<b>Article 4 Direction</b>	A statutory order that rescinds some or all permitted development rights (allowed under the Town and Country Planning General Permitted Development Order), allowing

the local planning authority control over specific development.

<b>Artisan</b>	Describes a certain type of housing that was formally used for skilled workers.
<b>Built Environment</b>	The man made fabric of an area.
<b>Biodiversity</b>	The variety of plants and animal species.
<b>Casual Play Space</b>	Outdoor play space to which children have unrestricted, safe and priority access, and which has been made specifically available for their unsupervised informal use. No equipment needs to be provided. Such play spaces should have a reasonably even gradient, open vegetation and be a minimum size of 100 square metres.
<b>Central Severn Vale</b>	The Districts of Gloucester City, Cheltenham Borough and those parts of Tewkesbury Borough and Stroud District in close proximity to Cheltenham and Gloucester, which can be easily accessed by public transport.
<b>Central Shopping Area</b>	The focus of town centre shopping. Based on the principal shopping streets, this area is defined on the Proposals Map for policy purposes.
<b>Character Area Assessment</b>	Study of defined areas of Cheltenham, looking at the features, which define character, and consider how development may be accommodated which builds on, and enhances each areas special features/quality.
<b>Cheltenham Policy Area</b>	Defined in the Gloucestershire Structure Plan as a basis for policy implementation and comprising Cheltenham Borough with the parishes of Badgeworth, Bishops Cleeve, Boddington, Coberley, Cowley, Great Witcombe, Shurdington, Southam, Staverton, Uckington and Woodmancote, which are within Tewkesbury Borough.
<b>Children's Outdoor Playing Space</b>	Land provided specifically for the purposes of children's play, including casual playspace and equipped adventure playgrounds.
<b>Climate Change</b>	The build-up of 'greenhouse gases' in the atmosphere resulting from the burning of fossil fuels.
<b>Commitments</b>	All proposals for development, which are the subject of a current, full or outline planning permission.
<b>Common Land</b>	Common land is that land to which the public have rights of access permanently or for an indefinite period. Common land is also land to which an access agreement has been made.
<b>Community Care</b>	Provision of services and support which people who are affected by problems of ageing, mental illness, learning



difficulties, physical or sensory disability, require to be able to live as independently as possible in their own homes.

**Community Sports Partnerships**

The long-term regular use, on an organised basis, of facilities, particularly those financed from public funds, by the general public, either as members of groups or clubs or individuals, for whom the facility was not primarily intended.

**Community Strategy**

This plan is about Cheltenham: the town, its people, its council and how all groups can work together to develop and achieve a shared vision for our future.

**Commuted Payment**

A payment made in lieu of the provision of facilities on site, to be provided elsewhere.

**Comparison Shopping**

Shopping for durable goods, where it is advantageous to have a number of similar outlets and offering a comparison in terms of style, quality and price within a small area. Comparison goods include clothing and footwear, DIY goods, household goods, recreational and other goods.

**Conditions**

Upon granting permission for development the local planning authority may permit development subject to conditions. These conditions may be used to enhance the quality of the development and/or ameliorate any adverse effects.

**Conservation Area**

An area of Special Architectural or Historical Interest, the character of which it is desirable to preserve or enhance. Designated under the Planning (Listed Buildings and Conservation Areas) Act 1990.

**Convenience Shopping**

Shopping for standardised goods required for frequent use, for which little comparison between style, quality or price is inherently necessary. Shops in the convenience sector include grocers and provision dealers, other food and confectioners, tobacconists and newsagents.

**Core Commercial Area**

Defined by the Local Plan for policy purposes, delineating the boundary of the town centre. It contains a range of land uses and is highly accessible by public transport.

**Corridor Of Opportunity**

A broad area of land reserved for the possible construction of a new road before the detailed alignment is known.

**Deposit**

Formal period of public consultation.

**Development**

The carrying out of building, engineering, mining or other operations in, on, over or under land, or the making of any material change in the use of any buildings or other land.

**Development Brief**

A document that sets out the criteria for the development of a particular site or area. Document generally sets out general details of how the local authority wish to see the site/area developed including details on land use, use of

materials and landscaping.

<b>District Centre</b>	A local shopping centre offering a reasonable range of shops, supermarkets and services to which custom is drawn from a wider catchment than the immediate vicinity.
<b>Dual Provision</b>	The integrated planning of facilities for educational establishments and for the community so that each facility is augmented and improved to the mutual benefit of all users.
<b>Durable Goods</b>	Non-convenience goods, for which comparison between style, quality and price is important, including furniture, electrical goods, clothing and footwear, jewellery and sports goods.
<b>Dwellings</b>	Self-contained buildings or parts of buildings which usually accommodate a single household.
<b>Employment Land</b>	Land in commercial or industrial use or allocated for the development of all commercial and industrial activities, with the exception in Cheltenham Borough of leisure and retailing.
<b>Encourage</b>	Indirect action by the Borough Council in the form of policies, advice and consultative arrangements to initiate or support action taken by other agencies, including the County Council, statutory undertakers, other public bodies and the private sector.
<b>Enhancement</b>	Improving the existing quality of an area, building, landscape or habitat.
<b>Environmental Assessment</b>	A technique for ensuring that the likely effects of new development on the environment are fully understood and taken into account before it is allowed to go ahead.
<b>Environmentally Sensitive Areas</b>	These are areas enclosed by the main highway network. The roads that are within the environmental zones should only carry traffic which has an origin or destination within that zone. Because the distance travelled within an environmental zone represents only a small component of an overall journey it is expected that vehicle speeds within the zone should be low.
<b>Floodplain</b>	A defined area of land which accommodates overflow from rivers and streams when levels have exceeded its capacity.
<b>Floorspace Efficiency</b>	The relationship between turnover and shopping floorspace.
<b>Gloucestershire Structure Plan</b>	Strategic framework for the development and use of land in Gloucestershire, prepared by Gloucestershire County Council.



<b>Government Office for South West (GOSW)</b>	The Government's regional office. First point of contact for submitting documents to the Secretary of State.
<b>Green Belt</b>	An area of development constraint identified under PPG2 where it is desirable to check the further growth of a large built-up area; to prevent neighbouring towns from merging into one another; or to preserve the special character of a town.
<b>Green Flag Scheme</b>	A scheme designed to recognise and encourage good quality public parks. It sets standards for sustainable management and to promote the value of parks as social places as well as places for walking, play, and informal sports, and for contact with the natural world.
<b>Green Pennant Scheme</b>	A specialist award under the Green Flag umbrella, designed to recognise community managed green spaces.
<b>Greenfield</b>	Land that has not previously been developed.
<b>Green Space</b>	Undeveloped land, not necessarily provided for formal recreation or public amenity, but which makes a positive contribution to the townscape, provides opportunity for informal recreation and supports biodiversity.
<b>Green Space Strategy</b>	A framework for the protection and management of green spaces within the borough.
<b>Groundwater</b>	Rain water that is held underground in water bearing, porous rock and sub soil.
<b>Home Zones</b>	A concept in which the road space in residential areas is shared between vehicles and other road users and pedestrians.
<b>Household</b>	A group of people living together with common housekeeping arrangements.
<b>Housing Density</b>	The level at which land is developed. The higher the density the greater the intensity of development.
<b>House In Multiple Occupation</b>	Houses, which were previously occupied by a single household but, have been subdivided to accommodate a number of households. There are six categories of occupancy: <ol style="list-style-type: none"> <li>1. Flatlets, bedsitters and rooms with some degree of self containment</li> <li>2. shared houses – normally shared by students</li> <li>3. houses let in lodgings on a small scale basis</li> <li>4. hostels, guest houses, boarding houses and bed and breakfast establishments run on a commercial basis</li> <li>5. residential houses/hotels providing board and care for persons in special need</li> <li>6. self contained dwellings</li> </ol>

<b>Housing Corporation</b>	A government body, which supervises the work of Registered Social Landlords getting Government grants.
<b>Housing Investment Programme (H.I.P.)</b>	A numerical and financial appraisal of current and future public sector housing requirements submitted annually by local authorities to the Department of the Environment.
<b>Index of Buildings of Local Importance</b>	List of buildings considered by local expert panel to be of local importance to Cheltenham.
<b>Infilling</b>	The development of a small gap in an otherwise developed frontage.
<b>Informal Recreation</b>	Activities such as walking, dog walking, and casual ball games which do not require a designated pitch or court.
<b>Infrastructure</b>	A network of basic on and off site services required for the development of land, including roads, drains, electricity and water, gas and telecommunications.
<b>Key Wildlife Sites</b>	Non statutory wildlife sites of local, county or regional importance, identified by Gloucestershire Wildlife Trust.
<b>Large Out Of Centre Stores</b>	Retail warehouse-type stores selling mainly bulky or low-cost durable goods, and convenience goods, superstores, located outside the town, district or neighbourhood shopping centres, and serving mainly car borne shoppers.
<b>Light Industry</b>	Industrial activity involving processes or machinery which could be carried on or installed in any residential area without detriment to the amenity of that area by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit.
<b>Light Rail</b>	Essentially a modern tramway - rail based and electrically powered, operating on segregated right-of-way if possible but capable of sharing the highway where necessary. A common feature in urban areas on the continent.
<b>Listed Buildings</b>	Buildings or structures identified by the Department of Culture, Media and Sport, as of special architectural or historic interest. They are protected, as are their settings and/or curtilage. Special consents are required for building work, including that which may not otherwise require planning permission.
<b>Local Amenity Space</b>	Small areas of undeveloped green space in residential areas, and sometimes in other forms of development, provided for townscape reasons (to counter-balance the built fabric of the town to create a pleasant living environment, and provide a setting for building) but which may also incidentally provide opportunities for informal play.
<b>Local Nature Reserves</b>	An area with special opportunities for the preservation and study of flora, fauna, geological or physiographical features,

designated and managed by a Local Authority.

<b>Local Transport Plan (LTP)</b>	Prepared by Gloucestershire County Council. The plan outlines Gloucestershire's transport policy, proposals for action and forms a formal bid for funding to Government.
<b>Main Highway Network</b>	A system of roads based largely on the existing classified network. All cross-town or through trips should be channelled onto the main highway network. Roads may be either Trunk Roads, Principal Roads or classified (numbered and unnumbered).
<b>Management Agreement</b>	A legal agreement drawn up between local authority and private landowners or occupiers to ensure that management practices relating to privately controlled land conserve or enhance the natural beauty or amenity of the land, or to promote its enjoyment by the public. Where appropriate this agreement will be prepared under S.39 of the Wildlife and Countryside Act 1981.
<b>Management Plan</b>	A planned programme of work needed to ensure the conservation and creation of the natural beauty and amenity of land.
<b>Manufacturing Industry</b>	Industries whose main operation is the production of processed goods, e.g. engineering, printing.
<b>Material Considerations</b>	Section 54A of the Town and Country Planning Act 1990 sets out that the local planning authority must determine planning applications in accordance with the local plan unless other material considerations indicate otherwise. Material considerations include issues such as the siting of buildings, height, mass and design, availability of infrastructure and traffic considerations.
<b>Minerals Local Plan</b>	Prepared by Gloucestershire County Council as Mineral Planning Authority to guide and control all future mineral development in Gloucestershire, including the winning and working of minerals and the deposit of mineral waste. The Minerals Local Plan forms part of the Statutory Development Plan for Gloucestershire.
<b>Mixed Use</b>	The development of more than one compatible land use either within a building, or within a defined area.
<b>National Land Use Database</b>	Government database that monitors the availability and development of previously developed land in England.
<b>Neighbourhood Centre</b>	A local shopping centre comprising a small group of shops, selling mainly convenience goods to a catchment drawn from adjacent residential areas.
<b>Neighbourhood Regeneration</b>	Where appropriate the Council will work together with local communities, businesses and voluntary groups to enable action to secure the improvement of residential and commercial properties, highways, and the environment

generally.

<b>Net Lettable Office Space</b>	The practical working area of an office development, upon which the rent is normally based, excluding stairs, lifts, cupboards, corridors.
<b>Night Time Economy</b>	Leisure activities such as restaurants, nightclubs and licensed premises.
<b>Noise Abatement Zone</b>	A zone which a Local Authority may designate, to control noise from fixed premises by preventing deterioration in existing noise levels, and securing reductions in those levels wherever possible.
<b>Non Conforming Use</b>	A land use or users which do not reflect the prevailing uses within a given area. Such uses can sometimes co-exist without detriment to the other, but some do cause nuisances, such as environmental problems.
<b>ODPM</b>	Office of the Deputy Prime Minister. Now replaced by the Department of Communities and Local Government.
<b>Operational Parking</b>	Spaces necessary to meet short-term requirements for the servicing of both the buildings and activities within and to allow for parking for those working in the building that need access to a vehicle on a regular basis throughout the working day.
<b>Park And Ride</b>	The provision of a large car park combined with a frequent bus service to the actual destination. When used on the perimeter of a town the system normally offers a low-cost alternative for drivers compared with using town centre car parks.
<b>Pedestrian Priority</b>	<p>The use of a Traffic Regulation Order to achieve a low traffic flow to the benefit of pedestrians. The resulting reduced vehicular activity provides an improved environment with the opportunity to widen footways at the expense of carriageway and also means that crossing the road is made easier.</p> <p>In general Pedestrian Priority areas would prevent the 'through' movement of general traffic but may allow buses and cycles. Other vehicles may be allowed access to frontages although this could be limited to 'off-peak' times of the day.</p>
<b>People With Disabilities</b>	All people with a physical or sensory impairment which affects their mobility or their use of buildings.
<b>Planning Obligations (Section 106 Agreement)</b>	A legal agreement under section 106 of the Town and Country Planning Act, 1990, between a local planning authority and any person with an interest in land for the purpose of restricting or regulating the development or use of the land. Any such agreement may also include such incidental and consequential provisions as appear to the

local planning authority to be necessary or expedient for the purposes of the agreement.

<b>Planning Policy Guidance Note (PPG)</b>	Statements of government planning policy published by the ODPM for the guidance of Local Authorities and other participants in the development process. They are currently being replaced by PPSs.
<b>Planning Policy Statement (PPS)</b>	Statements of government planning policy published by the DCLG for the guidance of Local Authorities and other participants in the development process. Over time these will replace PPGs.
<b>Precautionary Principle</b>	Approach in which precautionary action is taken where it is considered that development may lead to damage of the environment.
<b>Predictions</b>	Estimates made in the Gloucestershire Structure Plan of the likely effect of its policies, given local and national trends.
<b>Presumption</b>	A policy providing guidance with very limited flexibility, a deviation from which would be made only rarely and in exceptional circumstances.
<b>Previously Developed Land</b>	PPG3 defines previously developed land that “which is or was occupied by a permanent structure (excluding agricultural or forestry buildings), and associated fixed surface infrastructure”.
<b>Primary Shopping Frontage</b>	Continuous lengths of shop facades comprising high profile High Street type stores selling ‘comparison’ goods defined on the Proposals Map where the introduction of non-retail type businesses is regulated to protect the established shopping character.
<b>Promote</b>	Direct action, including where necessary financial investment by the Borough Council in conjunction with other agencies, to stimulate private enterprise.
<b>Proposals Map</b>	An Ordnance Survey base map all the policies and proposals contained in the local plan. It forms part of the statutory development plan for Cheltenham.
<b>Public Open Space</b>	Parks, gardens and playing fields in local authority ownership and dedicated for use by the general public.
<b>Public Realm</b>	Areas of the town, which are publicly accessible. Improvements to the features, which make up the environment (buildings, highways, landscaping, open spaces and street furniture/art) add to the quality of the public realm and encourage public ownership.
<b>Public Right Of Way</b>	A public right of way is an access taking the form of either, a byway open to all traffic, a bridleway or a footpath

whereby priority of movement is the prerogative of the public.

<b>Regency</b>	The architectural style, mainly based on Greek revival, named after the Prince Regent, which occurred in Britain towards the end of the Georgian period and into the Victorian era. In Cheltenham, this style of architecture continued longer than elsewhere and is typified by buildings erected 1800-1840.
<b>Regional Planning Guidance (RPG)</b>	Sets out Government advice contained in PPGs in a regional context. Regional Planning Guidance for the South West (RPG 10) provides a regional spatial strategy and sets out a broad development strategy for the period to 2016.
<b>Registered Social Landlord</b>	A non-profit making society or body of individuals whose object is the construction or improvement of houses. The Housing Corporation regulates their activities, and they may receive aid both from the Corporation and from local authorities.
<b>Repairs Notice</b>	A notice served by the local authority under section 48 of the Planning (Listed Buildings and Conservation Areas Act 1990) specifying the works they require reasonably necessary for the proper preservation of a listed building in need of repair. Associated with this, under section 54 of the Act, the local authority may itself carry out temporary works urgently necessary in unoccupied Listed Buildings.
<b>Residential Mobile Homes</b>	Static caravans and mobile homes that are used permanently as residential rather than holiday accommodation.
<b>'Residual' Housing Requirement</b>	Remaining requirement for new housing development after built and committed dwellings have been subtracted.
<b>Restrictive Covenants</b>	Legal agreements, which bind all subsequent purchasers of a property to certain requirements or restrictions.
<b>Retail Floorspace: Gross</b>	All floorspace used for retail purposes and including offices, storage and preparation rooms, work rooms, lobbies, staircases, cloakrooms and staff facilities.
<b>Retail Floorspace: Selling</b>	All floorspace used specifically for sales to customers, including display space and fitting rooms.
<b>Retail Warehouse</b>	A retail unit open to the public housed in a warehouse type building in a location away from the main shopping centre, with associated car parking and generally with a retail selling space of over 500 square metres (5,400 square feet).
<b>Right To Buy</b>	Legislation introduced by the Government to enable tenants to purchase their home from the Council or Housing

	Association.
<b>Shared Ownership/ Equity</b>	A form of tenure which makes house purchase possible for people who could not otherwise afford a full mortgage. Shared ownership involves purchase of a share of the value of a house, with the remainder held by a charitable organisation, with rent charges on this proportion.
<b>Social/Low Cost Housing</b>	Dwellings that cater for households who cannot afford to rent or buy on the open market.
<b>Sequential Approach</b>	A systematic approach to assessing the suitability of sites for development both in terms of making the best use of land and in meeting sustainability criteria.
<b>Service Industry</b>	Industries where the main operation is the provision of services largely for the local population, e.g. construction, gas, electricity, water, transport and communications, distributive trades and miscellaneous services (hotels, restaurants, laundries etc.).
<b>Shop</b>	Defined as a building used for the carrying on of any retail trade or retail business wherein the primary purpose is the selling of goods by retail.
<b>Shopmobility</b>	Provision of advice, information and practical assistance to people with disabilities, to enable them to gain access to and around the town centre and into shops.
<b>Shopping Catchment Area</b>	The area surrounding a shopping centre whose population largely relies on its services and facilities. Generally the greater the number, variety and specialisation of the services offered, the greater the catchment area.
<b>Sites Of Special Scientific Interest</b>	Sites of national importance for nature conservation identified by English Nature, and designated under Section 28 of the Wildlife and Countryside Act 1981.
<b>Small Businesses</b>	Firms operating within the manufacturing or service sectors which by virtue of their physical size, scale and nature of operation do not have special locational requirements. As a general guideline, such firms would not require in excess of 500 square metres (5,400 square feet) of industrial floor space.
<b>Smoke Control Areas</b>	Areas designated by Local Authorities under the Clean Air Acts where the emission of smoke from chimneys of dwellings is prohibited and smoke from industrial or commercial premises is carefully controlled.
<b>Special Project Area</b>	An area informally designated by the Borough Council in which it wishes to undertake and promote environmental improvements.

<b>Statutory</b>	A requirement enacted by statute.
<b>Statutory Allotment</b>	Land acquired or appropriated by the local authority under the Allotment Acts for use as allotments. Disposal of the land for other purposes requires the consent of the Secretary of State for the Environment.
<b>Statutory development plan</b>	Consists of Gloucestershire Structure Plan, Gloucestershire Minerals and Waste Local Plans and Cheltenham Borough Local Plan. The starting point for the determination of planning applications.
<b>Strategic Green Network</b>	Individual green spaces within the urban fabric which are linked as far as possible with planting and green corridors.
<b>Street Furniture</b>	Generally functional items such as street lights, litter bins, sign posts and bus shelters.
<b>Structure Plan</b>	Prepared by Gloucestershire County Council as Strategic Planning Authority to provide a framework for the use and development of land in Gloucestershire. The Structure Plan provides the context for the preparation of local plans prepared by district authorities and the county wide minerals and waste local plans prepared by the County Council. The Structure Plan forms part of the Statutory Development Plan for Gloucestershire.
<b>Sub-Regional Centre</b>	Principal towns and cities located within each of the four sub regions which make up the South West region as defined by RPG10.
<b>Supplementary Planning Guidance</b>	Supporting information and advice, which provides the local authority's view on good practice on various aspects of the local plan.
<b>Sustainability</b>	Ensuring a better quality of life for everyone, now and for generations to come.
<b>Sustainability Appraisal (SA)</b>	Assessment of the social, economic and environmental impact of policies.
<b>Sustainable Drainage System</b>	Systems, which may be incorporated into development schemes, which assist with the attenuation of run off from development. Schemes are designed to mimic natural drainage processes.
<b>Townscape</b>	The visual effect created by the physical elements of a town - primarily buildings and green spaces, but also trees, street furniture, paving, etc. and the character created by the interrelationship of these elements.
<b>Townscape Appraisal</b>	An assessment of the character, qualities and components of an existing townscape.



<b>Traffic Calming</b>	A technique of using physical features on the road designed to safely restrain vehicle speeds e.g. Road Humps, Speed Tables, Chicanes, Kerb Extensions and Throttles.
<b>Traffic Management</b>	A series of co-ordinated measures to regulate the flow of traffic within an area, including traffic signals, one-way streets, prohibition of turning movements, bus priorities, pedestrian crossings, and parking controls.
<b>Travel Plans</b>	Prepared by employers to assist in encouraging the use of more sustainable modes of travel.
<b>Travel To Play Area</b>	That area, including Cheltenham Borough and surrounding parishes, within which resident youths and adults can reasonably travel to formal playing facilities and still regard them as 'home' facilities.
<b>Travel To Work Area</b>	Statistical area for collection of employment and unemployment data by the Department of Employment. Delineated to be as 'self contained' as possible, that is most people who work in the area also live there.
<b>Tree Preservation Order</b>	An order made by a local planning authority under Sections 198-200 of the Town and Country Planning Act 1990 to protect a specific tree or group of trees against felling, lopping or other damage.
<b>Urban Area</b>	The continuous built-up area of the town of Cheltenham.
<b>Urban Design</b>	The consideration of how buildings, open spaces, highways, street furniture, traffic and pedestrians interact with each other and how the use of land can create a sense of place, provide ease of navigation and movement, assist in creating a safe and secure environment and create adaptable and attractive buildings and spaces.
<b>Urban Fringe</b>	Those parts of the countryside immediately adjoining and adjacent to the urban area.
<b>Urban Green Spaces Taskforce</b>	Set up by the Government to consider the role and importance of public parks and green spaces in England, and their future protection.
<b>Urban Trees Strategy</b>	Policies and proposals for good management and maintenance of the total tree stock of the Borough, publicly and privately owned, as a single renewable resource.
<b>Use Classes Order</b>	The Town and Country Planning (Use Classes) Order 1987, which specifies classes of use of buildings or other land for the purposes of section 55(2)(f) of the Town and Country Planning Act 1990.
<b>Vitality and Viability</b>	A way of describing a sense of vibrancy created by land uses. Vitality and viability is a term used to assess the

health of town centres and other areas of mixed use.

**Waste Local Plan**

Prepared by Gloucestershire County Council as Waste Planning Authority, setting out the land use requirements necessary for waste management in Gloucestershire. The Waste Local Plan forms part of the Statutory Development Plan for Gloucestershire.

**Watercourse**

The Environment Agency have a general responsibility for the major watercourses called '*main rivers*' in the Borough.

The Council as Land Drainage Authority has an overall responsibility for other watercourses. These are called '*ordinary*' watercourses.

**Warehousing**

The use of land or buildings in which goods are stored or bonded, or a repository for wholesale purposes and to which any retail component is ancillary.

**'Windfall' Housing Development**

New housing development occurring on unallocated land and other circumstances that were not previously identified specifically for housing use (i.e. conversions, subdivisions, redevelopment proposals etc.).

# Schedule

# Policies

Policy	Title
<b>Chapter 1 - Introduction</b>	
No policies	
<b>Chapter 2 – Cheltenham Borough</b>	
No policies	
<b>Chapter 3 – Strategy Context</b>	
No policies	
<b>Chapter 4 – Core Policies and Proposals</b>	
CP 1	Sustainable development
CP 2	Sequential approach to location of development
CP 3	Sustainable environment
CP 4	Safe and sustainable living
CP 5	Sustainable transport
CP 6	Mixed use development
CP 7	Design
CP 8	Provision of necessary infrastructure and facilities
PR 1	Land allocated for housing development
PR 2	Land allocated for mixed use development
PR 3	Land safeguarded for transport schemes
<b>Chapter 5 – Built Environment</b>	
BE 1	Open space in conservation areas
BE 2	Residential character in conservation areas
BE 3	Demolition in conservation areas
BE 4	Timing of demolition in conservation areas
BE 5	Boundary enclosures in conservation areas
BE 6	Back lanes in conservation areas
BE 7	Parking on forecourts or front gardens in conservation areas
BE 8	Demolition of listed buildings
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BE 10	Boundary enclosures to listed buildings
BE 11	Buildings of local importance
BE 12	Advertisements and signs
BE 13	Advertisements and signs in conservation areas
BE 14	Advertisement hoardings in conservation areas
BE 15	Projecting signs in conservation areas
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BE 17	Advertisements and signs on listed buildings
BE 18	Design and landscaping of new roads
BE 19	Nationally important archaeological remains
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<b>Chapter 6 – Urban Green Environment</b>	
GE 1	Public green space
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GE 3	Development within extensive grounds
GE 4	Pittville park and bouncers lane cemetery
GE 5	Protection and replacement of trees
GE 6	Trees and development
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<b>Chapter 7 - Countryside</b>	
CO 1	Landscape character
CO 2	Development within or affecting the AONB
CO 3	Rebuilding or replacement of buildings in the AONB
CO 4	Extension of buildings in the AONB
CO 5	Definition of green belt
CO 6	Development in the green belt
CO 7	Rebuilding or replacement of dwellings in the green belt
CO 8	Extension of dwellings in the green belt
CO 9	Development at Cheltenham racecourse
CO 10	Agricultural land
CO 11	Agricultural and forestry dwellings
CO 12	Farm diversification projects
CO 13	Conversion of rural buildings
CO 14	Development abutting the countryside
<b>Chapter 8 – Natural Environment</b>	
NE 1	Habitats of legally protected species
NE 2	Designated nature conservation sites
NE 3	Biodiversity and geodiversity of local importance
NE 4	Contaminated land
<b>Chapter 9 - Economy</b>	
EM 1	Employment uses
EM 2	Safeguarding of employment land
<b>Chapter 10 - Housing</b>	
HS 1	Housing development
HS 2	Housing Density
HS 3	Sub-division of existing dwellings
HS 4	Affordable Housing
HS 5	Mixed Communities
HS 6	Elderly persons housing
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<b>Chapter 11 - Retailing</b>	
RT 1	Location of retail development
RT 2	Retail development in the core commercial area
RT 3	Non-A1 uses in primary shopping frontages
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RT 5	Non-A1 uses in local shopping centres
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RT 7	Retail development in out of centre locations
RT 8	Individual convenience shops
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RT 10	Access to upper floors of commercial premises
<b>Chapter 12 – Culture and Recreation</b>	
RC 1	Existing community facilities
RC 2	Youth and adult outdoor playing facilities
RC 3	Outdoor playing facilities in educational use
RC 4	Casual play space
RC 5	Development of amenity space
RC 6	Play space in residential development
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RC 9	Honeybourne line footpath/cycleway
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RC 12	Golf courses
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UI 1	Development in flood zones
UI 2	Development and flooding
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TP 2	Highway Standards
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<b>Chapter 15 - Monitoring</b>	
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# Schedule

# Plans

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<b>Strategy Context</b>	
N/A	
<b>Core Policies and Proposals</b>	
N/A	
<b>Built Environment</b>	
N/A	
<b>Urban Green Environment</b>	
N/A	
<b>Countryside</b>	
2	Built up area at Cheltenham racecourse
<b>Natural Environment</b>	
3	Leckhampton SSSI
4	Aquifer protection zone
<b>Economy</b>	
N/A	
<b>Housing</b>	
N/A	
<b>Retailing</b>	
N/A	
<b>Culture and Recreation</b>	
5	Travel to play area
6	Location of allotments
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7	Hayden water reclamation works exclusion area
8	Brockhampton sewage works exclusion area
<b>Transport</b>	
9	Main highway network – town centre
10	Main highway network – outside town centre
11	Location of off street parking facilities
12	Cycle route network
13	Gloucestershire airport – safeguarded flight paths
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N/A	

# Schedule

# Tables

Table	Title
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<b>Cheltenham Borough</b>	
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<b>Core Policies and Proposals</b>	
2	Principles of sustainable development
3	Principles of urban design
4	Principles of architectural design
5	Matters which may be the subject of planning obligations
6	Sites allocated for development
7	Transport proposals
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8	Conservation areas in Cheltenham
<b>Urban Green Environment</b>	
N/A	
<b>Countryside</b>	
N/A	
<b>Natural Environment</b>	
N/A	
<b>Economy</b>	
9	Employment land provision in Cheltenham Borough mid-1991 – March 2006
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10	Dwelling requirement in Cheltenham Borough mid-1991 – March 2006
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11	Properties included within primary shopping frontages
<b>Culture and Recreation</b>	
12	Youth and adult outdoor playing space supply, relative to local standard
13	Supply of equipped/adventure playgrounds relative to national playing fields association standard
14	Allotment provision in Cheltenham Borough
<b>Utilities Infrastructure</b>	
N/A	
<b>Transport</b>	
15	Off-street car parking provision
15a	Off-street car parking provision outside the town centre
16	Parking standards
<b>Monitoring</b>	
17	Targets and indicators