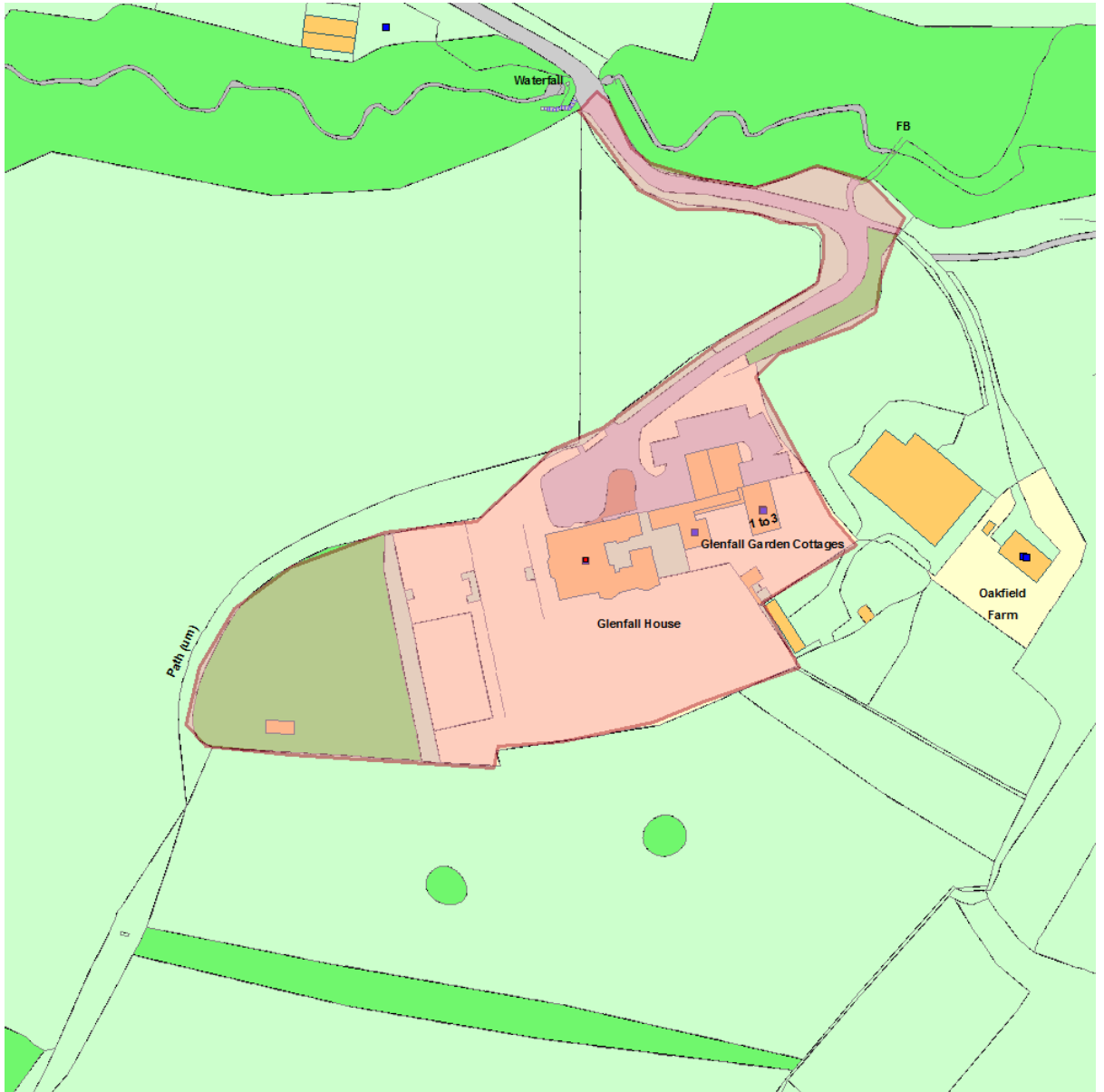


<b>APPLICATION NO: 23/01424/FUL &amp; 23/01424/LBC</b>		<b>OFFICER: Mrs Lucy White</b>
<b>DATE REGISTERED:</b> 19th October 2023		<b>DATE OF EXPIRY:</b> 18th January 2024
<b>DATE VALIDATED:</b> 19th October 2023		<b>DATE OF SITE VISIT:</b>
<b>WARD:</b> Battledown		<b>PARISH:</b> Charlton Kings
<b>APPLICANT:</b>	Mr And Mrs D Bunner	
<b>AGENT:</b>	SF Planning Limited	
<b>LOCATION:</b>	Glenfall House Mill Lane Charlton Kings	
<b>PROPOSAL:</b>	Part change of use of principal listed building from hotel/event venue to single dwelling (C3), including removal of extensions/alterations to principal building. Demolition of coach house, stables and 20th century buildings and extensions and replacement with new extension and outbuildings consisting of a leisure building with swimming pool, garage/store, greenhouse and 5no. new dwellings to be occupied as holiday accommodation. Alterations to historic landscaped grounds and kitchen garden.	

**RECOMMENDATION:** Refuse/Refuse



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## 1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The application site comprises of the grade II listed Glenfall House constructed circa 1770 and its curtilage listed outbuildings and structures. The majority of the garden curtilage of Glenfall House is a grade II listed registered Park and Garden, listed for being a good, representative example of both a picturesque landscape and an Arts and Crafts garden which retain their layouts and reflect their original design and character. Nearby Glenfall Lodge and the Gate Piers, Gates and Walls to Glenfall Lodge are also grade II listed. Overall, Glenfall House, the Coach House/Stables, the gate piers, gates and walls to Glenfall Lodge and the several other curtilage listed buildings/structures, in combination create a strong group value.
- 1.2 A two storey height garage structure is located within the front curtilage alongside various smaller outbuildings. The site also accommodates more recently constructed buildings, including Glenfall Garden Cottages which were originally sub-divided into three residential units for hotel and staff accommodation in association with the established hotel/wedding venue use of the site. In 2021 planning permission was granted for the change of use and conversion of the Cottages from hotel accommodation to 3no. independent dwellings (C3). A free-standing timber clad cabin is located within the far west corner of the grounds. This outbuilding contains living accommodation and appears recently constructed, although its exact purpose in relation to the hotel/wedding venue is unknown. There is also an enclosed, walled garden to the rear of the main house and TPO'd trees within the site, including a large, mature Oak tree in close proximity to Glenfall Garden Cottages.
- 1.3 The site is located outside of the Principal Urban Area of Cheltenham (PUA) in rural surroundings and wholly within the Cotswold National Landscape (AONB).
- 1.4 The site is accessed via a long private track off Mill Lane, which also serves an adjoining farm.
- 1.5 In terms of use, the site has a rather chequered history; the current, established use of the site is a wedding venue with hotel accommodation. The site was previously used as a religious retreat. The most relevant planning history is set out below which includes recent pre-applications for the change of use of the main house and the demolition and replacement of the remainder of the existing outbuildings.
- 1.6 The applicant seeks planning and listed building consent for the part change of use of the principal listed building from a hotel/event venue to a single dwelling (C3). The proposals also include the demolition of the coach house, stables and 20th century buildings and extensions and their replacement with a new extension and outbuilding. These consist of a swimming pool and leisure building, garage/store, greenhouse and 5no. new dwellings to be occupied as holiday accommodation. Internal and external alterations to the listed building, alterations to the historic landscaped grounds and kitchen garden, and the reinstatement of a tennis court are also proposed.
- 1.7 In response to concerns raised by officers and consultees and subsequent protracted negotiations, the scheme has been revised during the course of the application, with changes made to the design, scale and layout of the proposed development and to the number of dwellings and buildings proposed.
- 1.8 The final set of revised plans was received on 31<sup>st</sup> July 2024; the evolution of the various scheme iterations is discussed later in the report. It is also important to note that, whilst the proposed development has been reviewed by three different Conservation Officers during the course of the application, the comments and concerns raised by each previous officer were carefully considered by the conservation officer reviewing the final scheme revisions submitted in July.

- 1.9** Various supporting documents accompany the application, including a Heritage Impact Assessment, (AONB) Landscape and Visual Impact Assessment, Ecological Appraisal, Energy Statement and Design and Access/Planning Statement; some of which were updated in response to the final scheme revisions.
- 1.10** The applications were referred to the Planning Committee for determination by Councillors Baker and Fisher. The reasons given for a Committee determination (should officers be minded to refuse planning and listed building consent) are as follows:-

*This application relates to a significant heritage asset but as with all such assets we must consider how they can evolve in terms of their use and be enhanced in terms of their carbon footprint and bio-diversity contribution at the same time ensuring the historic fabric of the building is maintained and protected. In addition the application delivers potentially significant benefits to our local tourism economy, any decision will be a balanced one and I therefore feel if the officer is minded to refuse, the application is referred to the committee.*

## **2. CONSTRAINTS AND RELEVANT PLANNING HISTORY**

### **Constraints:**

Area of Outstanding Natural Beauty

### **Relevant Planning History:**

**13/02186/PREAPP 3rd March 2014 CLO**

Proposed re-modelling of house

**15/01926/PREAPP 24th November 2015 CLO**

Change of use from conference centre to hotel and events venue, with various internal and external works

**20/00792/PREAPP 8th July 2020 CLO**

Change of use of event venue to a total of 9 residential dwellings. Conversion of (listed) main Glenfall House building into three large dwellings and conversion of the Coach House into four smaller dwellings

**22/00947/PREAPP 31st August 2022 CLO**

Demolition of outbuilding, alterations to existing house and new residential development

**78/00036/PO 24th March 1978 REF**

Glenfall House Harp Hill Cheltenham Gloucestershire - Outline Application To Erect 1 No Detached House

**78/00037/PF 24th March 1978 PER**

Erection Of Building To House Cattle

**79/00509/PF 3rd December 1979 PER**

Change Of Use/ Conversion Of Private House Into A Convent; Construction Of Sacristy And Cloister And Internal Alterations; Conversion Of Stable To Convent Accommodation.

**86/00830/LA 28th August 1986 PER**

Demolition Of Unwanted Chimneys And Rebuild Of In-Use Chimneys In Accordance With The Revised Details Contained In Your Letter Received On 13th August 1986

**87/00116/LD 26th March 1987 PER**

Demolition Of Conservatory/Glass House

**91/00400/PC 23rd May 1991 PER**  
Change Of Use To Diocesan Retreat House

**91/00953/LA 24th October 1991 PER**  
Conversion Of Existing Outbuildings To Provide Warden/ Caretaker  
Accommodation And Additional Guest Accommodation

**91/01082/LA 21st November 1991 PER**  
Minor Alterations and Conversion Works For Use As Retreat House

**92/00951/PF 19th November 1992 PER**  
Alterations To Existing Forecourt And Proposed Car Park

**93/00587/PF 29th July 1993 PER**  
Erection Of Single Storey Extension To North Face Of South Wing

**93/00590/LA 29th July 1993 PER**  
Erection Of Single Storey Extension To North Face Of South Wing

**94/00492/LA 28th July 1994 PER**  
Conversion Of Ex Boiler Room In Basement To Quiet Room/Crypt Chapel

**94/00577/PF 28th July 1994 PER**  
Part Conversion And Extension Of Stables Annexe To Provide Ensuite Bathrooms To  
Guest Bedrooms

**94/00581/LA 28th July 1994 PER**  
Part Conversion And Extension Of Stables Annexe To Provide Ensuite Bathrooms To  
Guest Bedrooms

**94/00735/LA 15th September 1994 PER**  
Dismantling Of Glazed Canopy To Existing Garage And  
Formation Of Screen Wall To Garage Forecourt

**95/00586/LA 11th September 1995 WDN**  
Erection Of A Garden Pavilion As Retreat Building

**95/00595/PF 24th August 1995 PER**  
Erection Of A Garden Pavilion As Retreat Building

**95/00970/PF 18th January 1996 PER**  
Conversion And Extension To Stables Annexe To Provide 4 No. Ensuite Bathrooms To  
Existing Guest Bedrooms \*\*\*S.106 Obligation Completed 30 Jul 97\*\*\*

**95/00973/LA 18th January 1996 PER**  
Conversion And Extension To Stables Annexe To Provide 4 No. Ensuite Bathrooms To  
Existing Guest Bedrooms

**96/00261/PF 25th April 1996 PER**  
Erection Of Garden Pavilion As Retreat Building

**98/01078/PF 10th December 1998 PER**  
Extension To Provide Accommodation For Management And Staff

**14/00632/COU 21st July 2014 WDN**

Change of use of Glenfall House and adjoining coach house from hotel/retreat (C1) to one single dwelling (C3) and separation of existing staff dwelling from main house to create an independent dwelling (C3) including formation of new access onto existing driveway. Various external and internal alterations to listed building including demolition of a storage barn and removal of modern annex extension to listed coach house.

**14/00632/LBC 21st July 2014 WDN**

Change of use of Glenfall House and adjoining coach house from hotel/retreat (C1) to one single dwelling (C3) and separation of existing staff dwelling from main house to create an independent dwelling (C3) including formation of new access onto existing driveway. Various external and internal alterations including the demolition of a storage barn and removal of a modern annex extension to listed coach house, the removal of two internal historic walls on ground floor to form new kitchen, removal of modern stud walls on the upper floors and an external spiral staircase.

**16/00391/CLEUD 11th March 2016 WDN**

Currently property is registered as conference centre and hotel, we are in the process of purchasing the property, and will be running it as a conference and banqueting venue, as soon as the sale completes, we require to have permission to start certain works immediately, due to the fact that the property has been empty for 2 years, and certain areas are now in need of repair to stop any further deterioration of the properties. We will be wanting to treat and repair the damp within the Coach house; and then redecorate internally We will be wanting to repair the roof parapets and rainwater downpipes and hoppers on the main building, along with redecoration of the areas where the repair work has taken place. We will also want to re decorate the property inside and outside once the repair works have been done

**16/01389/LBC 4th October 2016 GRANT**

Alterations of GF and FF of main house to make an events venue. (removal of walls/addition of stud partition walls)

**21/00656/COU 22nd July 2021 WDN**

Change of use of Hotel letting rooms in Coach House to 4 residential dwellings

**21/00656/LBC 22nd July 2021 WDN**

Change of use of Hotel letting rooms in Coach House to 4 residential dwellings

### **3. POLICIES AND GUIDANCE**

**National Planning Policy Framework**

Section 2 Achieving sustainable development

Section 4 Decision-making

Section 5 Delivering a sufficient supply of homes

Section 8 Promoting healthy and safe communities

Section 9 Promoting sustainable transport

Section 11 Making effective use of land

Section 12 Achieving well-designed places

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

Section 15 Conserving and enhancing the natural environment

Section 16 Conserving and enhancing the historic environment

**Adopted Cheltenham Plan Policies**

D1 Design

D3 Private Green Space

L1 Landscape and Setting

HE2 National and Local Archaeological Remains of Importance

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

**Adopted Joint Core Strategy Policies**

SD3 Sustainable Design and Construction  
SD4 Design Requirements  
SD6 Landscape  
SD7 The Cotswolds Area of Outstanding Natural Beauty  
SD8 Historic Environment  
SD9 Biodiversity and Geodiversity  
SD10 Residential Development  
SD14 Health and Environmental Quality  
INF1 Transport Network  
INF2 Flood Risk Management

**Supplementary Planning Guidance/Documents**

Cheltenham Climate Change (2022)

**4. CONSULTATIONS**

See appendix at end of report

**5. PUBLICITY AND REPRESENTATIONS**

Number of letters sent	<b>5</b>
Total comments received	<b>13</b>
Number of objections	<b>3</b>
Number of supporting	<b>9</b>
General comment	<b>1</b>

**5.1** Letters were sent to 5 neighbouring properties. In addition, site notices were displayed at the site and within the local area and an advert published in the Gloucestershire Echo. The neighbour notification process was repeated for the revised schemes submitted.

**5.2** A total of 13 representations were received (3 in objection, 9 in support, plus 1 general comment). The comments and concerns raised in relation to both the original proposals and subsequent revised schemes, in summary, are as follows:-

- Size, scale and massing of proposed development is out of character with the current environment and setting
- Impact on the operation and amenities of neighbouring farm – noise and disturbance, ASHP plant noise, fireworks, excessive lighting, proximity of proposed extension to stable block on adjacent land, impact on the welfare of horses within the stable block
- Impact of existing farm operations on the amenities of occupiers of the proposed dwellings – noise, disturbance and odour pollution, leading to possible future complaints against the farm owners
- The existing stables, Coach House and motor garage should not be demolished as they are evidence of the historic evolution of the site and have become part of the landscape

- De-cluttering and excessive tree and landscaping removal should be avoided to protect the character of the site and AONB
- Proposed holiday lets could become long terms lets or sold as separate dwellings.
- Natural water well located under proposed area for solar panels
- Solar panels located adjacent to livestock route on adjoining land
- Historic stables could be undermined by proposed extension building
- Increase in traffic along access track which is used by livestock
- Bats within the site – trees and outbuildings – would be affected by construction works
- Potential for less traffic using the access track
- Glenfall House in need of sympathetic restoration and modernisation. Existing outbuildings detract from main house
- Proposals would result in much needed investment in this building for the future
- Drainage routes under the proposed garage/store outbuilding
- Proposals would support the local hospitality industry

## **6. OFFICER COMMENTS**

### **6.1 Determining Issues**

**6.2** The key issues are (i) the principle of demolition of listed buildings and other structures, (ii) principle of new residential development in this location, (iii) the design, scale and layout of the proposals, including the listed building alterations, and their impact upon the historic fabric and significance of the listed building; (iv) impact on the setting and character of the listed park and gardens, (v) parking, access and any highway safety implications, (vi) impact on the amenities of adjoining land users, (vii) drainage and flooding, (viii) impact on existing trees within and adjacent the site and (ix) ecology, protected species and recreational pressure on the Beechwoods SAC.

### **6.3 Principle of Development/Planning Policy Context**

**6.4** The relevant policy documents are the adopted Cheltenham Plan (2020) (CP), the adopted Joint Core Strategy (2017) (JCS) and the NPPF (2023). Policies D1, SL1, BG1, G12 and G13 of the CP and policies SD4, SD6, SD7, SD8, SD9, SD10, SD14 and INF2 of the JCS are most relevant.

**6.5** The application site is located outside of the Principal Urban Area (PUA) of Cheltenham and wholly within the Cotswolds National Landscape (AONB); Landscape Character Type 2 (Escarpment) and Landscape Character Area 2c (Escarpment: Coopers Hill to Winchcombe). Other than the site's location within the AONB, the application site does not fall within any other statutory landscape or environmental designations. The Environment Agency's (EA) Flood Map indicates that the site is at low risk of flooding (Flood Zone 1).

**6.6** This is a brownfield site and therefore 'previously developed land' as defined by the NPPF. The site is located outside of the PUA, some 4 kilometre distance from the nearest local services in Charlton Kings where there is access to a wide range of day-to-day



services such as shops, schools, amenities and employment opportunities. The nearest residential/built up areas are Ham and the Battledown Estate. There are also a number of regular bus services serving Glenfall Road, Ham Road and London Road. However, given the distance and otherwise remote location of Glenfall House, the site cannot be considered a sustainable location for new residential development, in the context of the NPPF.

- 6.7** Within the PUA the principle of new residential development on previously developed land is supported by Policy SD10 of the Joint Core Strategy (JCS). Housing development on other sites, will only be permitted where it meets certain exception criteria; one of which relates to there being other specific exceptions/circumstances defined in district or neighbourhood plans (Criterion 4).
- 6.8** SD10 Criterion 5 also sets out that proposals involving the sensitive, adaptive re-use of vacant or redundant buildings will be encouraged, subject to the requirements of other development plan policies, including JCS policy SD8.
- 6.9** Paragraph 11 of the NPPF sets out a '*presumption in favour of sustainable development*' and makes it clear that development proposals that accord with an up to date development plan, should be approved without delay.
- 6.10** Paragraph 11 of the NPPF states '*Plans and decisions should apply a presumption in favour of sustainable development....and for decision making this means approving development proposals that accord with an up-to-date development plan*'. Where policies which are most important for determining the application are out-of-date, the NPPF at paragraph 11(d) advises that planning permission should be granted '*(i) unless the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or (ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole*'. This is referred to as the 'tilted balance' in favour of sustainable development.
- 6.11** The protected areas or assets referred to at (i) above are, in this case, the listed building(s) and park and garden and the AONB.
- 6.12** Footnote 7 of paragraph 11 of the NPPF explains further that for applications involving the provision of housing, relevant policies must be considered out of date in situations where the local planning authority cannot demonstrate a five year supply of deliverable housing.
- 6.13** Cheltenham Borough Council is currently unable to demonstrate a five-year supply of housing land and at the time of writing the latest published figure is 4.84 years.
- 6.14** The proposals include the creation of 1no. single dwelling within the main house and 5no. units of holiday accommodation. In normal circumstances, holiday accommodation does not contribute to the Council's 5 year housing land supply figures. The one proposed single dwelling (although a small contribution) would go towards alleviating the current shortfall and as such is a material consideration in the determination of this planning application.
- 6.15** As mentioned above, the application site is designated land and lies wholly within the AONB. Paragraph 182 of the NPPF states that '*great weight should be given to conserving and enhancing the landscape and scenic beauty in Areas of Outstanding Natural Beauty which have the highest status of protection in relation to these issues*'. The scale and extent of development within the AONB should therefore be limited and proposals for development considered carefully.
- 6.16** The above is consistent with Policy SD7 of the JCS which states that all development proposals in or within the setting of the Cotswolds AONB will be required to conserve and,

where appropriate, enhance its landscape, scenic beauty, wildlife, cultural heritage and other special qualities. Proposals will also be required to be consistent with the policies set out in the Cotswold AONB Management Plan.

**6.17** Policy CE1 of the Cotswolds AONB Management Plan 2025-30 requires:

*1. Proposals that are likely to impact on, or create change in, the landscape of the Cotswolds AONB, should have regard to, be compatible with and reinforce the landscape character of the location, as described by the Cotswolds Conservation Board's Landscape Character Assessment and Landscape Strategy and Guidelines.*

*2. Proposals that are likely to impact on, or create change in, the landscape of the Cotswolds AONB, should have regard to the scenic quality of the location and its setting and ensure that views - including those into and out of the AONB - and visual amenity are conserved and enhanced.*

**6.18** Policy CE3 of the Cotswold Management Plan emphasises the importance of maintaining local distinctiveness and respecting local settlement patterns through appropriate design.

**6.19** Policy CE6 states that proposals that are likely to impact on the historic and cultural heritage of the Cotswolds AONB should have regard to these features and seek to conserve and enhance them. This should include respecting historical features, buildings, sites, layout and context, including the relationship between the existing feature or settlement and the landscape.

**6.20** Paragraph 131 of the NPPF sets out that good design is a key aspect to achieving sustainable places, and creating better places in which to live. Paragraph 135 goes on to set out that development should add to the overall quality of the area, be visually attractive, and be sympathetic to local character. Policy SD4 of the JCS and Policy D1 of the Cheltenham Plan require development to be of a high standard of architectural design that responds positively to and respects the character of the site and its surroundings.

**6.21** Given the context and sensitivity of the site, regard must also be given to the legal and policy context as it applies to heritage assets. Paragraph 16(2) of the Planning (Listed buildings and Conservation Area) Act 1990 requires local planning authorities to have special regard to the desirability of preserving the special architectural or historic interest of listed buildings and their setting.

**6.22** Section 16 of the NPPF sets out the importance of conserving and enhancing heritage assets. Paragraph 192 of the NPPF advises that in determining planning applications, local planning authorities should take into account:

- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation

- the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and

- the desirability of new development making a positive contribution to local character and distinctiveness

**6.23** Similarly, Policy SD8 of the Joint Core Strategy requires development to make a positive contribution to local character and distinctiveness, having regard to the valued elements of the historic environment. It states how '*Designated and undesignated heritage assets and their settings will be conserved and enhanced as appropriate to their significance*'.

**6.24** In summary, the site is located outside of the PUA and within the AONB. As such, the principle of new residential development to provide residential holiday accommodation in

this location may not be acceptable within the context of Policy SD10. Furthermore, this element of the proposals would not contribute to the Council's housing land supply. However, subject to the approval of appropriate and sympathetic works, there are no concerns regarding the principle of converting the principal listed building to a single dwelling, as Glenfall House was first constructed as a dwelling.

**6.25** The impact of the proposals on the significance of the designated heritage assets, the AONB, and the other merits of the proposals are discussed in full below.

## **6.26 Design, Layout and Heritage Impact**

### **6.27 Scheme Proposals and Revisions**

**6.28** The proposals are extensive and include the part change of use of the principal listed building from a hotel/wedding venue to a single dwelling (C3) and the demolition of all existing, curtilage buildings and structures within the grounds of Glenfall House. The timber cabin located in the far corner of the grounds and a number of smaller incidental garden structures would remain. The existing historic curtilage buildings include a former coach house, former stables and early c20th motor garage, along with remnants of the walled garden and its associated garden structures, all of which are considered to be curtilage listed buildings.

**6.29** The July 2024 revised scheme shows that the existing curtilage listed buildings would be replaced by a two storey extension to the main house, which would accommodate 2no. two storey dwellings (1 x 3 bed and 1 x 2bed), 1no. 2 bed apartment, garages, leisure facilities, refuse and ancillary storage facilities. A single storey, hipped roof swimming pool building and associated plant would be attached to the end of the proposed extension via a single storey link. The swimming pool building would sit noticeably forward of the principal, north elevation of the listed building. This would result in a large S-shaped building range attached to the listed building. A first floor overhang within the extension would provide vehicular access to the rear of the extension for parking and access to the proposed holiday accommodation and its parking areas. The proposed extension would be faced in red brick under a slate tiled pitched roof with flat roofed dormer windows to both front and rear roof slopes.

**6.30** The ground floor of the west wing of the extension attached to the main house would accommodate the garaging, refuse and recycling stores and plant room for the main house. It would also provide the access for the upper floor apartment. The remainder of the extension accommodates the 2no. two storey dwellings plus a ground floor gym.

**6.31** A detached, pitched roof garage/store outbuilding positioned behind the south elevation of the proposed extension range is also proposed along with a plant (ASHP) enclosure adjacent to the swimming pool building and (east) site boundary. This element of the proposals also includes a raised, walled garden terrace, presumably to be used in association with the leisure facilities.

**6.32** Various internal and external works to the principal listed building are proposed, including the sub-division of the main house to provide 2no. two storey, 2 bed dwellings and the removal of later c20<sup>th</sup> additions, plant and other physical building alterations.

**6.33** The erection of a greenhouse/orangery and tennis court with the landscaped gardens, in the location of an historic tennis court, are also proposed.

**6.34** The application details, and description of development indicate that the 5no. new dwellings proposed would be occupied as holiday accommodation and not as independent, separate dwellings. The applicant has confirmed that the other proposed facilities i.e. swimming pool, gym, gardens and tennis court, would be used by both the

occupiers of the main house and the holiday accommodation units. The application has been determined on this basis.

**6.35** Note that the total number of existing dwellings on site (excluding the staff accommodation associated with the existing hotel use) is 3; 1-3 Glenfall Garden Cottages.

#### **6.36** Heritage Impacts

**6.37** The acceptability of the proposed demolition works to the listed building and curtilage listed structures and the corresponding impacts on the setting, character and appearance of the listed building(s) and registered park and garden are key to the considerations of this application; since these drive the remainder of the proposals.

**6.38** During pre-application discussions in 2022 (in relation to a similar scheme), the Conservation officer (CO) concluded that, although the proposed demolition and internal works to the main house were acceptable in principle, the proposed wholesale demolition of the curtilage listed outbuildings would result in harm to significance, by virtue of removing an element of the historic evolution of the estate. The proposed demolition of the historic outbuildings was therefore considered unacceptable and the applicant advised that the reuse of the historic parts of these service outbuildings should be fully explored.

**6.39** Notwithstanding the above concerns, the CO recognised that the existing visual relationship between the north elevations of Glenfall House and the outbuildings is problematic due to poor separation distance, similar height and colour of facing materials. As such, some suggestions for restoring the character of the outbuildings were given.

**6.40** The location, scale and massing of the pre-application proposals for replacement buildings were also considered unacceptable and resulted in an intensification of bulky built form, lacking subservience to Glenfall House and competing visually with the principal north elevation, regardless of the more open front courtyard setting proposed at that time.

**6.41** The CO also raised concerns from a heritage perspective, about the proposed units of accommodation and sub-division within the main house, which the CO considered should remain ancillary only to the residential use of the main dwelling.

**6.42** By contrast, having assessed the current application, the CO agrees broadly with the findings of the applicant's updated and more comprehensive Heritage Impact Assessment in that the outbuildings are identified as having "*a low level of significance, diminished further as a result of the substantial alterations and extensions, which themselves now adversely affect the setting the listed building*". The CO comments that the submitted documents now provide a better understanding of the significance of the curtilage listed structures and, on that basis, justification for the proposed demolition works in principle. However, the CO makes it very clear that although all the existing outbuildings are considered to have a low level of significance, the demolition of these outbuildings is still considered to result in a degree of harm.

**6.43** Paragraph 206 of the NPPF states, "*Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.*" NPPF paragraph 208 states, "*Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.*"

**6.44** The applicant has identified the public benefits of the proposals (as required by NPPF paragraph 208). The benefits in this case are considered to be securing the removal of

modern interventions to the main house, returning it back to a private dwellinghouse, repairs and renovation to the roof, removing the water tank, repairs to stucco and internal architectural features, conservation of the registered garden and its garden structures. These are recognised as public benefits (for the purposes of para 208) and must be given weight. Members are reminded that the assessment of public benefits required by paragraph 208 is a separate exercise to the overall planning balance considerations and those of paragraph 11(d) of the NPPF.

**6.45** Despite the various scheme revisions, and whilst the principle of demolition of the curtilage listed buildings may be acceptable, the CO maintains their concerns over the scale, massing and layout of the proposed development that would replace the curtilage listed buildings.

**6.46** The various earlier scheme submissions are summarised as follows:-

**6.47** Original scheme received 5<sup>th</sup> September 2023

Roughly L-shaped, two storey extension from west elevation of listed building, continuing south as far as the southern site boundary with Oakfield Farm. Stable block on adjoining land located within 2 metres of the two storey side (south) elevation of the proposed extension. Extension faced in brick under a predominantly pitched roof with slate tile covering and dormer windows.

Detached, two storey swimming pool and leisure building located forward of the principal north elevation near the entrance drive.

Various internal and external alterations to the main house, plus removal of some later additions and plant. Erection of a greenhouse within the walled garden and tennis court within the landscaped grounds.

5no. residential units proposed – 3 no. first floor apartments above ground floor garages (1 x 1 bed & 2 x 2 bed) and 2no. 2 bed converted dwellings within main house.

**6.48** Revised Scheme received 2<sup>nd</sup> April 2024

Layout similar but the proposed two storey extension is shown rendered with a hipped roof. Alterations made to fenestration and garage entrance features

Leisure/swimming pool building reduced in overall size/footprint and now single storey in height. Relocated slightly further south away from entrance drive towards the Oak tree.

5no. residential units proposed – 2no. 2 bed first floor apartments, 1 no. 2 bed two storey dwelling and 2no. converted dwellings within main house

The other elements of the proposed development were unchanged.

**6.49** May/June 2024 Draft Schemes

Revised, draft schemes were also submitted and discussed in May 2024. The revisions included a new courtyard layout, with L-shaped extension and attached swimming pool/leisure building. Some of the ground floor garaging within the extension was replaced by 2 storey dwellings. A first floor overhang allowed vehicular access to the holiday accommodation and outbuilding. Red brick replaced the previous rendered external finish, with dormer windows re-instated within the pitched slate roofs.

A detached, single storey pitched roof garage/store outbuilding adjacent to the southern site boundary was also added.

The above revisions had not been previously suggested by officers or discussed with the applicant.

The location of proposed solar panels and design of the greenhouse and tennis court were also amended.

**6.50** An earlier draft iteration showed a detached, two and single storey swimming pool building and two storey L-shaped range; the gap between opening up views from the main house to the Oak tree.

#### **6.51** Conservation Officer - Final Comments

**6.52** The Conservation officer's comments on the final scheme submitted in July 2024 is set out in full below. The revised scheme responds to some of the concerns raised by officers during the course of the application and thereby incorporates some of the requested changes. However, there are a number of aspects that have not been adequately addressed.

**6.53** The CO's comments on all previous submitted schemes are set out in full within the consultation section at the end of the report.

#### Glenfall House 23/01424/LBC

##### Drawings 13th May 2024

##### Greenhouse

*Brochure details of the greenhouse have been submitted. The overall scale and design is considered acceptable in principle with respect to scale design and materials, notwithstanding the need for more detailed drawings including sections the profile of glazing and samples of materials. The indicative elevations/site plan demonstrate the greenhouse would be aesthetically acceptable and appear subservient within the overall context of the group of heritage assets.*

##### Proposed tennis court

*The principle of reinstating a tennis court in the location of an historic tennis court is acceptable. Details of the Pladex tennis court, in green, with mesh and obelisks post fencing are acceptable. The proposed tennis court would be visually recessive (a purple/blue surface would not be appropriate) and appropriate to the historic context.*

##### Revisions made 30th July 2024

*The proposed removal of the historic extensions to the main house are acceptable, as are the proposed internal alterations to Glenfall House.*

##### Garage Store Building

*The garage /workshop is reduced in size by 1m and is now timber clad to ensure simplicity and status of workshop building. The change to red brick is welcome, as is the timber cladding.*

##### Outbuildings

*Demolition of the existing outbuildings represents an opportunity to create clear hierarchy of buildings across the site, with the main house retaining visual prominence. Whilst it is accepted that the standing group of curtilage listed buildings are of low significance and that as a result of change over time the current outbuildings lack cohesion, this does not in itself justify the extent of the proposed footprint of the apartment range.*

*The existing outbuildings (considered curtilage listed), whilst of low significance, form part of the historical significance of the Glenfall estate. Albeit that the standing buildings are much evolved, visually they read as service buildings, set back from the south elevation of Glenfall House allowing the listed building to retain prominence and are illustrative of the evolution of the country estate.*

*The latest proposals comprise a substantial L-shaped two storey building to the east of the listed building, with a single storey leisure building attached at the rear of the range and a greenhouse and garage to the east of the south lawn.*

*There are several direct heritage benefits, as set out on page 24 of the Heritage Statement, these are acknowledged and welcome. It would have been pertinent to update the Heritage Impact Statement in light of the revised proposals, in line with paragraph 200 of the NPPF. An elevation of the swimming pool elevation is also required to assess the scheme and officers await this drawing, in order to assess the proposal.*

*Timber cladding of the garage is welcome and the slight reduction in the scale of the garage block, on balance, would be acceptable, on the basis that the attached range is reduced in size as discussed below.*

*To create a sense of a 'service courtyard' the proposed apartment buildings should be scaled back with the L-shaped service range reduced in length and, ideally, in height to 1.5 storeys, such that the range presents within the group of buildings as a visually recessive element within the setting of Glenfall House.*

*The single storey 'break' between the main house and the new development is acceptable and the introduction of hipped roofs and the arched garage openings is welcome. Brick has been re-introduced as a contrasting material, which is also welcome. The Leisure building would read better within the scheme if it was separated from the main range and relocated back to the north-east but not linked. There is an opportunity to open-up the view of the oak tree from main house by re-siting of the leisure building and/or removal of the arch feature on the main range, this opportunity has not been harnessed under the latest scheme drawings (although this was presented on an earlier version of the proposals).*

*Officers previously advised that the proposed two-storey range should be reduced to 1.5 storey and that the overall design should reflect an ancillary building, with simple fenestration and a less domestic appearance. This has been achieved, to a degree, and in principle the thrust of the design and enclosing the courtyard could be supported. However, the scale and length of the range cannot be supported. The overall footprint and of the proposal, including the leisure building, would be larger than the listed building, this coupled with the scale and minimal set back from the rear building line would result in a set of buildings that compete visually and therefore would not be subservient to the heritage asset.*

*The principle of demolition of the curtilage buildings has been accepted on the basis that new development coming forward mitigates heritage harm. Whilst the scheme includes direct heritage benefits, these would not balance out the level of harm to significance that would occur as a result to an unacceptable impact on the setting of Glenfall House (grade II listed), Glenfall lodge (grade II listed), Gate Piers, Gates and Walls to Glenfall House (grade II) Rose Gate (grade II listed) and Glenfall House Registered Park and Garden*

*(grade II). As a group these assets relate visually to each other and their settings overlap. The heritage context is therefore rich and all assets are of high significance.*

*The proposal cannot be supported in its current form. There are significant concerns regarding the scale, massing, design and layout of the proposed attached outbuildings. The main range of outbuildings component of the proposal cannot be supported, on the basis that by virtue of an unacceptable impact on the setting of heritage assets, the proposal would fail to preserve the special historic and architectural interest of heritage assets. The level of harm would be at the higher end of the 'less than substantial' scale, engaging paragraph 208 of the NPPF and contrary to policy SD8 of the Joint Core Strategy.*

*The revised proposals July 2024 cannot be supported from a heritage perspective as it stands.*

- 6.54** Officers acknowledge that the proposals include the demolition of several, poorer additions to the main house and some derelict structures within the grounds. Equally, it is largely accepted that the footprint of the proposed new build elements does not differ substantially when compared with the footprint of existing buildings to be demolished. In this respect, the applicant has helpfully provided a site plan on which the footprint of the existing curtilage buildings is superimposed. Furthermore, the area of proposed built form does not extend significantly further within the site.
- 6.55** The applicants' efforts in engaging with officers in seeking to address officer concerns is fully acknowledged and appreciated. The application process has necessitated protracted discussions and negotiation over a long period, plus a number of site visits accompanied by conservation and planning officers.
- 6.56** Unfortunately, whilst there has been improvement to certain design and layout elements, the revised scheme has not addressed the fundamental concerns over the cumulative effects of the size, scale, massing, layout and subservience of the new build elements and the resultant harm to the significance (setting) of the designated heritage assets. The proposed two storey extension, which adopts a continuous S shaped footprint, extends approximately 74 metres in continuous length and some 41 metres in length north/south with a maximum height of approximately 8.5 metres. The proposed detached garage/store outbuilding is located in close proximity to the rear, south elevation of the extension and has a footprint of 75 sq. metres and height of 5.2 metres.
- 6.57** Whilst the thrust of the design and enclosing the courtyard could be supported by the CO, the scale and length of the range cannot. The overall footprint of the proposed extension, including the leisure building, would be larger than the listed building. This, coupled with the scale and minimal set back from the rear building line, would result in a set of buildings that compete visually and therefore would not be subservient to the designated heritage asset. On heritage grounds, officers are therefore unable to fully support the proposed development.
- 6.58** The proposed works are not considered to sustain the designated heritage assets, and cause harm to their significance. The extent of harm is considered to be at the upper end of 'less than substantial', as defined by the NPPF (2023). It is not considered there are meaningful public benefits that might outweigh this harm. The proposed works do not therefore comply with Sections 16 and 66 of the Planning (Listed Building and Conservation Area) Act 1990, Chapter 16 of the National Planning Policy Framework and Policy SD8 of the Joint Core Strategy 2017.
- 6.59** Civic Society



- 6.60** The Civic Society has raised an objection to the proposals. Although supportive of the proposed internal works to the main house and re-instatement of the Arts and Crafts style garden, concerns are raised over the wholesale demolition of the ancillary buildings, particularly the historic stables and coach house, which would be replaced by '*bland modern buildings*'.
- 6.61 Impact on neighbouring property**
- 6.62** Section 12 of the NPPF highlights that development should promote a high standard of amenity for existing and future users. This is further emphasised in policy SD14 of the JCS and Cheltenham Plan SL1 which set out the requirement for development not to cause unacceptable harm to the amenity of adjoining land users and the locality.
- 6.63** The nearest neighbouring property that has potential to be impacted by the proposed development is Oakfield Farm, which has land and buildings adjoining the south and east application site boundaries. Oakfield Farm is a working farm which houses cattle in close proximity to the east site boundary. Representations have been made the occupiers of the farm holding in respect of both the original and revised schemes. The concerns raised focus on the proximity of the stable block on adjoining land, the welfare of livestock, noise and disturbance affecting the future occupiers of the proposed holiday accommodation and the potential for future complaints against the farm. These concerns have been considered very carefully and the Council's Environmental Health team (EHO) consulted on each of the submitted schemes. The EHO responses are set out in full at the end of the report.
- 6.64** In summary, the EHO has no objection to the proposed development subject to the imposition of a number of conditions relating to the type/model, location and predicted noise levels of the proposed ground and air source heat pumps, a sound insulation scheme for the proposed residential units and a construction environmental management plan. A condition is also required to limit the use of the proposed leisure facilities by the residents of Glenfall House and guests of the holiday lets only and not by the general public or external hire. A condition preventing the use of amplified music within the leisure facilities after 22:00 hours should also be added.
- 6.65** Subject to the above conditions, which are all considered reasonable and necessary in this case, the proposed development (as revised) would not result in significant harm to the amenities of adjoining land users. Officers consider that the revised layout (i.e. re-positioning of the proposed two storey extension away from the site boundary and adjacent stable block and the location of the additional outbuilding adjacent to the southern site boundary address officers concerns in relation to any potential, significant harmful impact upon the amenities of users of the adjacent stables.
- 6.66** Officers are also mindful that there are three existing separate dwellings (1-3 Glenfall Garden Cottages) on site which are located closer to the neighbouring farm buildings than the 2 nearest proposed dwellings (units 3 and 5). There do not appear to have been any complaints made against the farm by the occupiers of the existing three dwellings.
- 6.67** Similarly, the (revised) solar panels on the southern roof slope of the proposed outbuilding and the ground mounted solar panel array on the edge of the walled garden along the southern site boundary do not give rise to significant amenity concerns in relation to adjoining land users.
- 6.68** With all of the above in mind, the proposed development is considered to be compliant with adopted CP policy SL1 and adopted JCS policy SD14 which require development to protect the existing amenity of neighbouring land users and the locality and those of future occupiers.

## **6.69 Access and highway issues**

- 6.70** Adopted JCS policy INF1 advises that all development proposals should provide for safe and efficient access to the highway network for all transport needs. The policy identifies that planning permission will be granted where the impact of the development on the highway network will not be severe. The policy reflects the advice set out within Section 9 of the NPPF.
- 6.71** The proposed main vehicular access via Mill Lane would remain largely unaltered but with some re-alignment of the main drive within the front curtilage. Dedicated parking areas and some garaging are shown for both the main house and 5 proposed residential units. Although not indicated on the site plan, there is no reason to suggest that EV charging points could not also be provided for all proposed units.
- 6.72** The applicant sets out transport related matters within the covering Planning Statement, albeit the information provided is brief.
- 6.73** The County Council Highways Development Management Team, acting as Local Highway Authority (HA) was consulted on the proposals, including the revised schemes submitted. In summary, the HA raise no objection to the proposed development. The HA offered no comment on the revised proposals.
- 6.74** Notwithstanding the above response from the HA, officers have considered transport matters more broadly. The application site is located over 3.5km from the nearest local services. Access to these facilities is likely to be solely by car and there are no public transport options available. The proposals do not therefore promote sustainable travel choices or provide suitable access for all users. However, the proposed development in this location is, on balance, considered acceptable from a transport perspective and the proposed access and parking arrangements suitable. In reaching this conclusion, officers have been mindful of the existing use of the site as a hotel/wedding venue which will generate traffic movement (varying in intensity) and a reliance on a private car for site access.
- 6.75** Although the use of the site as a single dwelling and holiday accommodation may change the purpose and timings of traffic movements to and from the site, the level of traffic movements would not be dissimilar to those associated with the current use of the site.
- 6.76** Furthermore, given the nature of the proposed holiday accommodation use, trips to a local food store for example, are likely to be combined with trips to other destinations. Holiday accommodation, by its very nature, is often located in more remote, countryside locations.
- 6.77** Note that, given the rural location of the site, the use of the proposed holiday units as permanent, separate dwelling houses would need further consideration, having regard to the sustainable transport aims of the National Planning Policy Framework set out at paragraphs 114 and 116.

## **6.78 Sustainability**

- 6.79** The Cheltenham Climate Change SPD (2022), sets out a detailed strategy for decarbonising homes over the next decade. For residential alterations and extensions there is an opportunity to improve the environmental performance of a home through the inclusion of technologies and features such as photovoltaics, replacement windows, heat recovery, permeable (or minimal) hard surfaces, works to chimneys, insulation, replacement heating systems (heat pump) and thoughtful kitchen design. This is reflected in Policy SD3 of the JCS.
- 6.80** The application includes an Energy and Sustainability Strategy (relating to the scheme layout as first submitted). Given the listed status of the retained, converted building, the

document notes the modest scope for energy efficient improvements. However, there are clear opportunities to reduce energy demand in respect of the new build elements of the proposals. Various mitigation measures/statement of intent are proposed to proportionately combat climate change. The measures to be investigated and implemented include:

- Replacement of primary heat source (biomass wood pellet boiler system) with electric heat pump system (site is not on the main gas grid) – resulting in 69.8% reduction in primary energy demand and a 17% reduction in carbon dioxide emissions
- Installation of ground source heat pump and air source heat pump systems for domestic heating
- Roof mounted solar panels and ground mounted PV array
- Removal of energy inefficient later additions to main house
- Heat recovery system for swimming pool
- Natural ventilation techniques (other than building regulation requirements for bathrooms, kitchens and mechanical ventilation needs of the swimming pool)

**6.81** Given the scale and nature of the proposals, which affect a listed building, it is considered that the above demonstrates an acceptable and welcome response to climate change, the Council's SPD guidance and the objectives of Policy SD3 of the JCS

#### **6.82 Other considerations**

#### **6.83 Drainage and Flooding**

**6.84** The application site lies within Flood Zone 1 and therefore the potential flood risk is low. There appear to be no water courses within the site.

**6.85** The Local Lead Flood Authority (LLFA) has reviewed the submitted Flood Risk Assessment (FRA). A number of queries and requests for further information were made; in relation to the surface water discharge strategy, soakaways, discharge rates, climate change allowances and exceedance flow plans. In summary, the information submitted is considered insufficient for this type of development and does not meet the standards required for sustainable drainage. The LLFA's comments are set out in full at the end of the report.

**6.86** Unfortunately, the revised schemes submitted do not address the LLFA's concerns and no further drainage documentation was provided.

#### **6.87 Holiday Accommodation/Residential Use**

**6.88** It is necessary to consider the proposed use of the new build element as holiday accommodation; the application having been submitted and determined on this basis.

**6.89** There is much case law on whether such a use falls within Class C1 or Class C3. This will be a matter of fact and degree and dependent on the characteristics of the holiday accommodation use proposed and site characteristics. In this case, the 5 new residential units are considered to fall within Class C3 and range from a two bedroom apartment to a two storey, three bedroom residential unit. As indicated on the site plan submitted, other than perhaps unit 5, the proposed residential units would have no obvious separate residential curtilage but would benefit from the use of the wider grounds and site

amenities. The applicant has confirmed this arrangement. If the dwellings were to be privately owned, the situation may be very different.

- 6.90** The site is located approximately 4km from the nearest local services and outside of the PUA. There is no development plan policy that directly relates to the provision of holiday accommodation outside of the PUA; although JCS policy SD10 (criterion 5) allows for the sensitive adaptation of an existing vacant or underused building to residential use and this policy is not location specific. Similarly, Policy L2 of the CP allows the conversion of rural buildings to uses other than agriculture subject to various requirements.
- 6.91** It is therefore reasonable to conclude that the appropriate conversion or sub-division of an isolated building in the countryside to residential use is likely to be supported, in principle. The same support in principle would not apply to new build dwellings or new build holiday accommodation within the countryside.
- 6.92** In this case and mindful of the policy context, officers have had to consider the existing use of the site as a hotel/wedding venue, and thereby the existing use of the site for similar holiday accommodation purposes. The planning history of site indicates other similar recreation/hotel type uses of the property. There are also 3 existing separate dwellinghouses on site (1-3 Glenfall Garden Cottages), plus some residential staff accommodation associated with the existing hotel/wedding venue. The net gain in residential units on site (including the change of use of Glenfall House) would therefore be 3 new dwellings/holiday lets.
- 6.93** Given the rather unique circumstances of this site and its planning history, the principle of the proposed redevelopment of the site and provision of new build residential units/holiday lets in an isolated, rural location outside of the PUA, on balance, is considered acceptable.
- 6.94** However, in accordance with the terms of the application submission and for the reasons set out above, officers would consider it necessary and reasonable to impose a condition restricting the use of the buildings as holiday lets. Should there be any future application to remove or vary this condition, the suitability/use of the buildings in this location as separate, permanent dwellings would be considered at that time.
- 6.95** In addition, the Conservation Officer has raised significant concerns about the further sub-division of the site through the creation of distinct curtilages associated with the residential use of the proposed new outbuildings. Similarly, there was concern raised by the CO over the sub-division of the main house to create separate residential units.
- 6.96** Landscape and Visual Impact
- 6.97** The site is located wholly within the Cotswold National Landscape. Given the sensitive location of the site the applicant has carried out a Landscape and Visual Assessment (LVA) of the proposals. This document describes the landscape character and setting of Glenfall House and gardens and identifies various viewpoints from which the potential landscape visual impact is assessed.
- 6.98** The Cotswold National Landscape Board were consulted on the proposed development, LVA and subsequent scheme revisions. The Board has no objection to the principle of the change of use from a wedding venue with hotel accommodation to a private dwelling with ancillary leisure uses and holiday let accommodation. No objection is also raised to the re-instatement of the grounds and the proposed demolition works. However, some initial concerns were raised regarding the proposed design of the replacement buildings, notably the swimming pool/leisure building and their impact on the natural beauty of the AONB.
- 6.99** In summary, the Board concluded that the change to the immediate landscape character would be low and would result in a beneficial landscape effect and any change beyond the grounds is assessed as negligible. Views of the site are limited and filtered by natural

vegetation. As such, the character of the site and immediate landscape would be retained. The proposals would therefore result in a slight beneficial visual effect, where seen. However the Board considered that there would be an adverse impact on dark sky quality, having regard to paragraph 185 of the NPPF. The application lacks details on internal and external proposed lighting and the swimming pool building incorporates extensive glazing, leading to light spillage. The re-design of this building was therefore suggested.

**6.100** In response to the above concerns the revised scheme(s) include changes to the elevation and roof treatment of the swimming pool building. The Board subsequently withdrew their objection, subject to the imposition of their suggested condition to secure the subsequent approval of an external lighting scheme.

**6.101** Ecology, BNG, Environmental Impact and Protected Species

**6.102** The applicant has carried out a Preliminary Ecological Appraisal (PEA), including a bat survey of the existing buildings and Great Crested Newt survey. These documents have been reviewed by the Council's Ecologist (EO).

**6.103** The EO comments that the bat surveys confirm that the roof of the main house and the coach house provide roosting habitat for bats. These roosts would be disturbed and in the case of the coach house, lost as a result of the proposed development. As such, an EPS mitigation licence from Natural England would need to be obtained. Otherwise, the bat mitigation measures outlined within the PEA, are considered appropriate.

**6.104** The survey recommendations for ecological mitigation and enhancement and sensitive strategies for external lighting are therefore supported and could be secured by appropriately worded conditions.

**6.105** It is recognised that a minimum 10% biodiversity net gain (BNG) is now mandatory for all major developments; unless certain exemptions apply. If a planning application for a development was made before day one of mandatory BNG on 12 February 2024, the development is exempt from BNG. In this case, the planning application was received in September 2023.

**6.106** Nonetheless, the submitted BNG report demonstrates that the development could achieve over 10% net gain for linear and area habitats. Again, this could be delivered and maintained as part of any subsequent approved landscaping scheme.

**6.107** GCER records also show that important species or habitats have been sighted on or near the application site in the past, including bats. The submitted PEA is an appropriate assessment of the impact on these protected species.

**6.108** Habitats Regulations Assessment/ Cotswolds Commons and Beechwoods Site of Special Scientific Interest (SSSI) and Special Area of Conservation (SAC)

**6.109** Policy BG1 of the Cheltenham Plan relates to the Cotswold Beechwoods Special Area of Conservation (SAC) – recreation pressure. It states that development will not be permitted where it would be likely to lead directly or indirectly to an adverse effect upon the integrity of the European Site network (alone or in combination), and the effects cannot be mitigated.

**6.110** Therefore, in order to retain the integrity of the Cotswold Beechwoods Special Area of Conservation (SAC) all development within the borough that leads to a net increase in dwellings will be required to mitigate any adverse effects.

**6.111** The application site is within a zone of influence as set out in the Cotswold Beechwoods SAC Recreation Mitigation Strategy (May 2022) for recreational pressure for the Cotswold

Beechwoods SAC, which is afforded protection under the Conservation of Habitats and Species Regulations 2017 (as amended).

**6.112** Without appropriate mitigation, the proposed development is likely to have a significant effect on the Cotswold Beechwoods SAC (either alone or in combination with other development) through increased recreational pressure.

**6.113** Therefore, the Council, as the responsible authority, has undertaken an Appropriate Assessment (under the Habitats Regulations 2017) and considers the measures set out in the Mitigation Strategy necessary to provide adequate mitigation to address the impacts of the proposal. The applicant can therefore either enter into a s106 contribution of £673 per new dwelling to contribute to the measures in that strategy or propose on or off-site mitigation. There are no opportunities for on-site mitigation and the applicant has opted to make the s106 contribution of £673. Subject to completion to the s106, the proposal will not adversely affect the integrity of the Cotswold Beechwoods SAC.

**6.114** There is currently dispute between officers and the applicant as to the number of existing dwellings on site. Discussions on this matter are on-going, but in any event, the minimum net gain in dwellings would be one dwelling.

**6.115** A Unilateral Undertaking to secure appropriate SAC mitigation has not been signed and completed by the applicant or the relevant monies and fees paid.

#### **6.116** Trees and Landscaping

**6.117** All trees on site are protected by virtue of a blanket TPO (TPO721). The Council's Trees Officer (TO) has therefore undertaken a thorough review of the proposed tree and soft landscaping proposals and considered the Arboricultural Impact Assessment submitted. His comments on the submitted scheme(s), are set out in full in the consultation section of this report.

**6.118** No overriding concerns are raised, albeit a suitable method statement (conforming to BS5837) to describe the resurfacing of the drive should be submitted, to avoid root damage to TPO'd trees. The TO considers that the planting scheme, although generous, lacks detail (species, tree size, pit details). A subsequent detailed landscaping scheme could be secured by condition and should include the recommendations made by the arborist to mitigate for the loss of T8.

#### **6.119** Public Sector Equality Duty (PSED)

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

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

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

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

## **7. CONCLUSION AND RECOMMENDATION**

- 7.1** Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for development must be determined in accordance with the development plan, unless material considerations indicate otherwise.
- 7.2** The proposed internal alterations and removal of later c20th additions to the principal listed building are considered broadly acceptable; other than some Conservation Officer reservations about the further sub-division of the main house to provide separate residential units. Whilst the principle of the demolition of the outbuildings is also considered acceptable, this would cause a degree of harm to the significance of the principal listed building, Glenfall House.
- 7.3** The applicant's efforts in trying to produce a mutually acceptable scheme are acknowledged. However, whilst there has been improvement made to certain design and layout elements, the revised scheme has not addressed the fundamental concerns over the cumulative effects of the size, scale, massing, layout and subservience of the new build elements and the resultant harm to the significance (setting) of the designated heritage assets. On heritage grounds, officers are therefore unable to fully support the proposed development.
- 7.4** The proposed surface water drainage strategy is considered insufficient for the type and scale of development proposed. The proposals do not therefore adhere to the design guides and standards for sustainable drainage.
- 7.5** Subject to conditions, there are no significant neighbour amenity or highway safety and transport related concerns and suitable landscaping and tree protection could be secured through the submission of a detailed landscaping scheme and method statement.
- 7.6** The use of the proposed residential units as holiday accommodation is, on balance, acceptable. However, the use of all of the units as permanent, separate dwelling houses is unlikely to be supported in this location and would require further consideration. A condition restricting the use to holiday accommodation would therefore be necessary.
- 7.7** In carrying out an objective assessment of the proposals (in line with NPPF paragraph 11d), officers have had to balance any potential adverse impacts of the proposals on the character of the site and wider locality (AONB) and the significance of the designated heritage assets, the amenities of neighbouring land users and highway safety implications, against any benefits that the scheme might bring. In this case, the benefits include the one additional dwelling to alleviate the Council's current housing supply shortfall position and the various heritage benefits set out at paragraph 6.44, plus any wider economic or social benefits that the scheme might bring in terms of the rural, tourist economy and employment opportunities during the construction phase. The proposed holiday let accommodation would not contribute to the Council's 5 year housing land supply figures.
- 7.8** Within the context of paragraph 11(d) of the NPPF, and having considered the impact of the development on the significance of designated heritage assets and the AONB there are identified clear reasons for refusing the application and the adverse impacts of the proposed development would significantly and demonstrably outweigh the benefits.
- 7.9** The recommendation is therefore to refuse both planning and listed building consent for the following reasons.

## 8. CONDITIONS / INFORMATIVES / REFUSAL REASONS

### Planning – 23/01424/FUL

- 1 Glenfall House, Glenfall Lodge and the Gate Piers, Gates and Walls to Glenfall Lodge are all Grade II listed. The gardens of Glenfall House are also a Grade II listed registered park and garden. Overall, Glenfall House, the coach house/stables, the gate piers, gates and walls to Glenfall Lodge, in combination create a strong group value. The site is located outside of the Principal Urban Area of Cheltenham (PUA) and wholly within the Cotswolds National Landscape (AONB).

Sections 66 and 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 require the local planning authority, when considering whether to grant planning permission for development that affects a listed building or its setting, to have special regard to the desirability of preserving the building or its setting.

The proposed two storey extension, which adopts a continuous S shaped footprint, extends approximately 74 metres in continuous length and some 41 metres in length north/south with a maximum height of approximately 8.5 metres. The proposed detached garage/store outbuilding is located in close proximity to the rear, south elevation of the extension and has a footprint of 75 sq. metres and height of 5.2 metres. By virtue of their overall size, design, scale, massing and layout, these elements of the proposals are not considered to be subservient in scale or appearance to the principal listed building and compete visually with it. As such, their cumulative impact would harm the setting of the principal listed building, Glenfall House, and thereby its significance.

The proposed development is not considered to sustain the designated heritage assets, and causes harm to their significance. Having regard to paragraph 208 of the NPPF, the extent of harm is considered to be less than substantial, but there are not considered to be any meaningful public benefits that might outweigh this harm.

The proposed development is therefore contrary to Policy D1 of the Cheltenham Plan (2020), Policies SD4 and SD8 of the Joint Core Strategy (2017), Sections 16 and 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, Section 16 of the National Planning Policy Framework (2023) and the Historic Environment Good Practice Advice (note 2).

- 2 The proposed surface water drainage strategy is insufficient for the type and scale of development proposed. The proposals do not therefore adhere to the design guides of the Non-Statutory Technical Standards for Sustainable Drainage and the CIRCA SuDS Manual.

The proposed development is therefore contrary to adopted policy INF2 of the Joint Core Strategy (2017) and Section 14 of the NPPF.

- 3 The proposed development, by virtue of resulting in a net increase in dwellings, would result in an adverse effect on the integrity of the Cotswold Beechwoods SAC; however, no mitigation has been proposed to address the impacts of the proposal on the SAC. Without appropriate mitigation, the proposed development is likely to have a significant effect on the Cotswold Beechwoods SAC through increased recreational pressure.

The proposed development is therefore contrary to adopted policy BG1 of the Cheltenham Plan (2020) and the aims of The Conservation of Habitats and Species Regulations 2017.



## Listed Building Consent – 23/01424/LBC

- 1 Glenfall House, Glenfall Lodge and the Gate Piers, Gates and Walls to Glenfall Lodge are all Grade II listed. The gardens of Glenfall House are also a Grade II listed registered park and garden. Overall, Glenfall House, the coach house/stables, the gate piers, gates and walls to Glenfall Lodge, in combination create a strong group value. The site is located outside of the Principal Urban Area of Cheltenham (PUA) and wholly within the Cotswolds National Landscape (AONB).

Sections 66 and 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 require the local planning authority, when considering whether to grant planning permission for development that affects a listed building or its setting, to have special regard to the desirability of preserving the building or its setting.

The proposed two storey extension, which adopts a continuous S shaped footprint, extends approximately 74 metres in continuous length and some 41 metres in length north/south with a maximum height of approximately 8.5 metres. The proposed detached garage/store outbuilding is located in close proximity to the rear, south elevation of the extension and has a footprint of 75 sq. metres and height of 5.2 metres. By virtue of their overall size, design, scale, massing and layout, these elements of the proposals are not considered to be subservient in scale or appearance to the principal listed building and compete visually with it. As such, their cumulative impact would harm the setting of the principal listed building, Glenfall House, and thereby its significance.

The proposed development is not considered to sustain the designated heritage assets, and causes harm to their significance. Having regard to paragraph 208 of the NPPF, the extent of harm is considered to be less than substantial, but there are not considered to be any meaningful public benefits that might outweigh this harm.

The proposed development is therefore contrary to Policy D1 of the Cheltenham Plan (2020), Policies SD4 and SD8 of the Joint Core Strategy (2017), Sections 16 and 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, Section 16 of the National Planning Policy Framework (2023) and the Historic Environment Good Practice Advice (note 2).

## **INFORMATIVES**

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

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

In this instance, having had regard to all material considerations, the authority cannot provide a solution that will overcome the harm caused to the significance of the listed building.

As a consequence, the proposal cannot be considered to be sustainable development and therefore the authority had no option but to refuse planning permission.

**CASE OFFICER:** ..... Mrs Lucy White .....

**AUTHORISING OFFICER:** .....

**DATE:** .....

## Consultations Appendix

### Historic England

*19th August 2024 -*

Thank you for your letter of 14 August 2024 regarding further information on the above application for listed building consent. On the basis of this information, we do not wish to offer any comments. We suggest that you seek the views of your specialist conservation adviser.

It is not necessary for us to be consulted on this application again, unless there are material changes to the proposals. However, if you would like detailed advice from us, please contact us to explain your request.

### Heritage and Conservation 1

*15th February 2024 -*

Re: Conservation comments 23/01424/FUL & 23/01424/LBC - Glenfall House, Mill Lane, Charlton Kings, Cheltenham

The proposed works are for a part change of use of principal building from hotel/event venue to single dwelling (C3), including removal of extensions/alterations to principal building. Demolition of coach house, stables and 20th century buildings and extensions and replacement with new outbuildings consisting of garaging, holiday let apartments (C1), leisure building (including swimming pool) and a greenhouse. Internal alterations to listed building and alterations to historic landscaped grounds and kitchen garden.

Glenfall House is a grade II listed building set within a grade II listed registered park and garden. The proposed works are for the demolition of various outbuildings, internal and external alterations to existing house and new residential development.

There are main issues to consider are the impact of the proposed development on the grade II listed house, its associated curtilage listed buildings and the grade II listed registered park and garden.

Given the sensitivity of the site and its context, regard needs to be given to the legal and policy context as it applies to heritage assets. The cornerstone of heritage legislation is the Planning (Listed buildings and Conservation Area) Act 1990 of which para 72(1) states, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area and para 16(2), which requires local planning authorities to have special regard to the desirability of preserving the special architectural or historic interest of listed buildings and their setting.

A core principle of the National Planning Policy Framework 2023 (NPPF) is heritage assets be conserved in a manner appropriate to their significance. Chapter 16, sets out the approach to conserving and enhancing the historic environment. This assessment takes account of the relevant considerations in these paragraphs, including paragraph 203 of the NPPF, which requires the significance of heritage assets to be sustained and enhanced, with paragraph 205 requiring great weight be given to the asset's conservation.

Advice regarding demolition was previously given under pre-application 22/00947/PREAPP. The current application provides justification for demolition and shows a denser form of development.

The existing historic outbuildings, which include the former coach house, former stables and early c20th motor garage, along with remnants of the walled garden and associated structures, are considered curtilage listed buildings. The submitted supporting documents identify the low level of significance of these outbuildings, diminished further as a result of the

substantial later alterations and extensions, which themselves now adversely affect the setting of the listed building. These conclusions are agreed with.

While the outbuildings can be considered to have a low level of significance, the demolition of these outbuildings is still considered to result in a degree of harm. Regarding harm paragraph 206 of the NPPF states, "Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification." and paragraph 208 of the NPPF states, "Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use."

The supporting documents are considered to provide clear and convincing justification for demolition and directly address the public benefits of the proposal, they include: Improvements to the setting of the listed Glenfall House; Securing the removal of modern interventions to the house associated with its earlier commercial and institutional uses; Returning it back to a private dwelling; Repairs and renovation of the roof, removing the water tank, repairs to the stucco and internal architectural features; Conservation of the registered garden and the various garden structures within it; Securing the long-term future maintenance of the listed buildings on the site; Helping to secure a viable long term future use for the place. It is recognised these are notable public benefits that need to be given significant weight.

The proposed internal alterations to listed building, including removal of extensions/alterations predominantly affect later, less sensitive areas of Glenfall House. The proposed works are not objected.

The proposed solar panels to Glenfall House are considered prominently visible on the south elevation from the South Lawn. It is advised these are removed because of their harmful visual appearance. Alternative locations for ground mounted solar panels were discussed on site and a location identified to the south of the existing hedge located to the south of Glenfall on its southern boundary along the line of what appears to be an historic ha-ha. The application should be amended to address this concern.

There are concerns over the proposed development, which are considered a backward step over the submitted pre-application proposal, over which concerns were also raised. As submitted there are concerns over the cumulative impact of the location, scale, massing, detailing and creation of separate curtilages of the proposed outbuildings. It is considered significant amendment is required to address these concerns. As submitted the development proposal cannot be supported on heritage grounds.

Concern is raised over the location, scale and massing of the proposed Leisure Building. It should be noted the existing garage building is considered to have a built form that is overly bulky and visually intrusive within the setting of Glenfall House and its gardens. The proposed Leisure Building insufficiently addresses this, it being considered to exacerbate the impact of built form through its scale and massing and forward projection toward the Existing Drive, with the result it is visually intrusive and therefore incongruous. It is considered it needs to be more discreet, i.e. set away from the Existing Drive and have a meaningful overall reduction in its scale and massing to address this concern.

One but not the only consideration is the bulk to the Leisure Building as a result of it being one and a half storeys in height. The increased height of the façade to accommodate additional internal habitable floorspace adding additional massing to it. Consideration should be given to the Leisure Building being a true single storey building with rooms in the roof. If such an approach it taken it is not advisable raise the ridge height to create a steeper pitch to accommodate additional floorspace as this will just transfer the massing to the roof.

The proposed Garage Block / Holiday Let Apartment is almost an 'L' shaped building, attached to north wing of Glenfall House and creating an enclosure to the Walled Garden. A general concern is raised that, cumulatively with the Leisure Building, it creates substantial built form within the immediate setting of Glenfall House. In trying to address the harm caused to the setting by the existing outbuildings harm is created elsewhere.

While there is a general concern over the scale and massing of the proposed Garage Block / Holiday Let Apartment, specific concern is raised over its width, which is wider than the north façade of the south wing of Glenfall House. Its built form is considered to be insufficiently broken up. This concern is exacerbated by its openness from the Drive and the Proposed Courtyard, which results in it being highly visible. A concern is also raised over the visual appearance of the Garage Block, the openings of which give it a modern character, out of keeping with its historic context.

The proposed attachment of the Garage Block to Glenfall House needs more careful consideration. As proposed the connection is too heavy and considered to detract from the appearance of the listed building. If a physical connection to Glenfall is going to be acceptable, the link needs to be lighter, through a reduction in its scale and massing such as a more significant set back and set down, having a true single storey (not one and a half as proposed), use of a hipped roof and/or use of materials such as a glazed link. It is advised separation between is more desirable.

It should also be noted, any loss of the northern section of the existing hedge between the South Lawn and the Walled Garden would raise concerns as it would result in the garage block becoming more prominent in the context of the listed building and from the south lawn. It is considered the existing hedge needs to remain unaltered to provide a strong edge between the proposed Garage Block and Glenfall House.

The proposed use of gable ends on the ends of the proposed outbuildings result in a prominent and bulky addition to the first floors/roofs. It is advised the scale and massing is addressed through an amendment showing the removal or reduction of the prominence of the gables, achieved through, for example, the introduction of hipped roofs to reduce massing and to loosely reflect the hipped roof of Glenfall. The buildings need to appear as discreet as possible. Two gables facing onto the courtyard creates a unwelcomely strong visual feature

It is generally considered the fenestration to the outbuildings is excessive and overly domestic in character, having a domestic appearance rather than service outbuildings that are ancillary and subservient to the main house. It is advised significant revision of the number and type of fenestration is required.

The proposed use of oriel windows as a feature on the gable ends is considered to be an overly decorative feature that will draw the eye. It is important the outbuildings reflect their low hierarchical status and not draw attention away from the main house. It is advised the oriel windows be removed.

Concern is raised over the proposed use of powder coated aluminium windows. These are considered to have a heavy appearance that would be out of keeping with the character and appearance of Glenfall House. It is advised timber or lightweight steel window be used.

Little detail of the appearance of the Greenhouse has been submitted within the application. It is therefore not possible to comment on this other than in generalisations. The principle of a greenhouse in this location may raise concerns. It is prominently located within the Walled Garden and its appearance is not characteristic of a greenhouse that would be found within an historic walled garden.

Typically historic greenhouses would be attached to buildings or garden walls. Further details of the proposal will need to be submitted as part of this application to allow proper consideration of its impact, although it is advised it is attached as a lean-to, to a building or garden wall.

It is advised the amendments to the Drive be more carefully considered. The proposed Realigned Drive leading to the proposed Courtyard should have a different surface treatment to define it as a secondary access to avoid it competing with the drive accessing the Main House Forecourt.

There appears to be proposed piers and what may be a barrier or similar such feature located adjacent to the Main House Forecourt and the Drive Realigned. It is unclear what this feature is. Clarification is required. Concern would be raised if it is some form of barrier or gate as this would be an incongruous feature within such a location. If this is the case it should be removed from the development proposal.

The principle of reinstating a tennis court in the location of an historic tennis court is acceptable. However, it is difficult to comment on these aspects of the works as little information has been submitted.

It was previously advised in pre-application 22/00947/PREAPP "A tennis court with, for example, modern surfacing and a tall fence may appear out of keeping within the curtilage of the listed building, which is comprised of a registered park and garden. Further details of the historic tennis court and what is proposed to be reinstated need to be submitted within any application. Careful consideration will need to be given to how the works will affect the heritage assets."

Further details have not been forthcoming and given the sensitivity of the site it is not considered these details can be dealt with by condition. Further details taking into consideration the above concerns will need to be submitted or this element of the proposal should be withdrawn. As submitted the lack of information regarding the reinstated tennis court is considered grounds for refusal.

As submitted it appears separate holiday lets with their own enclosed garden curtilages and parking are being proposed. The subdivision of the site through the creation of distinct curtilages associated with the proposed outbuildings raises significant concern. This subdivision is unwelcome and considered to harm the wider curtilage of Glenfall.

It is advised the use of means of enclosures, including new hedges, gates and separate parking areas to service the outbuildings is avoided. It is important there is a strong sense of connection between the outbuildings and Glenfall House and that separate curtilages subdividing the main curtilage are not created.

In conclusion, less than substantial harm has been identified as a result of the proposed demolition of the existing outbuildings. The requirements of paragraphs 206 and 208 of the NPPF need to be carefully considered. There are clear public benefits to the general principle of the development proposal which need to be weighed against the harm that would be caused as a result of the demolition of the existing outbuilding which have a low level of significance, substantially compromised by later alterations.

Notwithstanding the issue of demolition, the proposed outbuildings are not considered to sustain the affected designated heritage assets as a result of cumulative concerns over their proposed location, scale, massing, detailing and the creation of separate curtilages. The proposed works do not therefore comply with Section 16 of the Planning (Listed Building and Conservation Area) Act 1990, Chapter 16 of the National Planning Policy Framework and Policy SD8 of the Joint Core Strategy 2017.

## Heritage And Conservation 2

26th April 2024 –

23/01424/LBC Part change of use of principle building from hotel/event venue to single dwelling (C3), including removal of extensions/alterations to principal building. Demolition of Coach House, stables and C20 buildings and extensions and replacement with new outbuildings consisting of garaging, holiday let apartments (C1), leisure building (including swimming pool) and a greenhouse, internal alterations to listed building and alterations to historic landscaped grounds and kitchen garden.

This a joint application with 23/01424/FUL

### SITE

Glenfall House is a grade II listed building and set within a grade II listed registered park and garden.

### COMMENTS ON THE PROPOSAL

In May 2022 a pre-application enquiry was submitted, 22/00947/PREAPP for the demolition of outbuilding, alterations to existing house and new residential development, which was dealt with by a previous Conservation Officer who has now left Cheltenham Borough Council. It was concluded that;

The principle of the proposed demolition works is considered unacceptable and would not be supported should an application(s) be submitted. Similarly, and notwithstanding the above, there are significant concerns regarding the design, scale, massing, subservience, layout and use of the proposed new build elements of the scheme. These elements of the proposals would also not be supported should an application be submitted in their current form.

The applicant is urged to re-consider the adaptation and conversion of existing listed curtilage buildings/structures to accommodate the ancillary uses proposed. In August 2023 a full planning application 23/01424/FUL and listed building consent application 23/01424/LBC were submitted, which are the current applications we are now dealing with. In February 2024 comments were made by the previous Conservation officer who was dealing with the scheme and has since left Cheltenham Borough Council. Based on his comments and advice a revised scheme has now been submitted for assessment.

#### Demolition of outbuildings

Comments made by the previous conservation officer were;

*Advice regarding demolition was previously given under pre-application 22/00947/PREAPP. The current application provides justification for demolition and shows a denser form of development.*

*The existing historic outbuildings, which include the former coach house, former stables and early c20th motor garage, along with remnants of the walled garden and associated structures, are considered curtilage listed buildings. The submitted supporting documents identify the low level of significance of these outbuildings, diminished further as a result of the substantial later alterations and extensions, which themselves now adversely affect the setting of the listed building. These conclusions are agreed with.*

*While the outbuildings can be considered to have a low level of significance, the demolition of these outbuildings is still considered to result in a degree of harm. Regarding harm paragraph 206 of the NPPF states, "Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification." and paragraph 208 of the NPPF states, "Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use."*

*The supporting documents are considered to provide clear and convincing justification for demolition and directly address the public benefits of the proposal, they include: Improvements to the setting of the listed Glenfall House; Securing the removal of modern interventions to the house associated with its earlier commercial and institutional uses; Returning it back to a private dwelling; Repairs and renovation of the roof, removing the water tank, repairs to the stucco and internal architectural features; Conservation of the registered garden and the various garden structures within it; Securing the long-term future maintenance of the listed buildings on the site; Helping to secure a viable long term future use for the place. It is recognised these are notable public benefits that need to be given significant weight.*

I concur with the above, therefore the demolition of the outbuildings is acceptable.

#### Proposed internal alterations

Comments made by the previous conservation officer were;

*The proposed internal alterations to listed building, including removal of extensions/alterations predominantly affect later, less sensitive areas of Glenfall House. The proposed works are not objected.*

Again, I agree with this, therefore the proposed internal alterations are acceptable.

#### Proposed Solar Panels

It was previously advised that the proposed solar panels on the south elevation roof should be removed from the application as they would be prominently visible from the south lawn, due to the harmful visual appearance. It was also advised that an alternative location should be sought for the ground mounted solar panels, which was discussed on site with the previous conservation officer.

Revisions have now been made; with regards to the ground mounted solar PV panels, it has been proposed to relocate them behind the walled garden hedge, which is acceptable.

The panels that have been relocated on the west facing roof slope of the main house will not be visible at all behind the high parapet, this is acceptable.

However, the revised proposed site plan 2682-2101 Rev C indicates that there are still solar PV panels on a south facing roof elevation, which are also apparent on Proposed main house elevations 2682-2123 Rev C where they are clearly seen on south elevation section JJ drawing. These solar PV panels should be omitted from the scheme.

#### Proposed leisure building

Comments made by the previous conservation officer were;

*Concern is raised over the location, scale and massing of the proposed Leisure Building. It should be noted the existing garage building is considered to have a built form that is overly bulky and visually intrusive within the setting of Glenfall House and its gardens. The proposed Leisure Building insufficiently addresses this, it being considered to exacerbate the*



*impact of built form through its scale and massing and forward projection toward the Existing Drive, with the result it is visually intrusive and therefore incongruous. It is considered it needs to be more discreet, i.e. set away from the Existing Drive and have a meaningful overall reduction in its scale and massing to address this concern.*

*One but not the only consideration is the bulk to the Leisure Building as a result of it being one and a half storeys in height. The increased height of the façade to accommodate additional internal habitable floorspace adding additional massing to it. Consideration should be given to the Leisure Building being a true single storey building with rooms in the roof. If such an approach is taken it is not advisable to raise the ridge height to create a steeper pitch to accommodate additional floorspace as this will just transfer the massing to the roof.*

Revisions have been made to the leisure building following on from the comments made by the previous conservation officer. The height of the building has been reduced by 2m on the section which houses the pool, and over 1m on the southern end, which is now visually expressed as a single storey building. The overall footprint of the building has also been reduced in both length and width and it has also been positioned further south, which helps to alleviate the intrusiveness on the existing driveway.

Further concerns raised by the previous conservation officer was the potential to light spill from the leisure building. With the reduction in size and height, the amount of elevation glazing and glazing within the roof any light spill should be reduced. However, one element which is raising a concern is the amount of solar PV panels to the southern roof elevation, which has been increased with the revisions made. Previously there was one row of panels, now there are two rows which completely covers the whole of the roof elevation. Whilst the principle of solar panels on the building is considered acceptable as this is a new build, there will be a visual impact on the heritage asset where they can be viewed. To minimise this impact the number of solar panels should be reduced to what was proposed previously, one row. If the plan is amended indicating this the proposed leisure building will be acceptable.

#### Proposed greenhouse

Comments made by the previous conservation officer were;

*Typically, historic greenhouses would be attached to buildings or garden walls. Further details of the proposal will need to be submitted as part of this application to allow proper consideration of its impact, although it is advised it is attached as a lean-to, to a building or garden wall.*

*Little detail of the appearance of the Greenhouse has been submitted within the application. It is therefore not possible to comment on this other than in generalisations. The principle of a greenhouse in this location may raise concerns. It is prominently located within the Walled Garden and its appearance is not characteristic of a greenhouse that would be found within an historic walled garden.*

Whilst there is no actual design / drawing submitted of the greenhouse, details are offered of the proposed style / design in the revised covering letter dated 28th March 2024. I can comment that whilst I agree with the previous comments made by the conservation officer, that greenhouses were often attached to a wall as a 'lean-to', I would not object to the proposed, but this would be dependent on the size, style / design that is submitted and we require these details in order to make a thorough assessment of the proposal.

#### Proposed tennis court

Comments made by the previous conservation officer were;

*The principle of reinstating a tennis court in the location of an historic tennis court is acceptable. However, it is difficult to comment on these aspects of the works as little information has been submitted.*

*It was previously advised in pre-application 22/00947/PREAPP "A tennis court with, for example, modern surfacing and a tall fence may appear out of keeping within the curtilage of the listed building, which is comprised of a registered park and garden. Further details of the historic tennis court and what is proposed to be reinstated need to be submitted within any application. Careful consideration will need to be given to how the works will affect the heritage assets."*

*Further details have not been forthcoming and given the sensitivity of the site it is not considered these details can be dealt with by condition. Further details taking into consideration the above concerns will need to be submitted or this element of the proposal should be withdrawn. As submitted the lack of information regarding the reinstated tennis court is considered grounds for refusal.*

I agree with the above comments, that in principle of reinstatement of the tennis courts is acceptable. Details have been offered in the revised covering letter dated 28th March 2024, however this is just one example. Further details are required in order to make a full assessment of the proposal.

#### Proposed driveway

Comments made by the previous conservation officer were;

*It is advised the amendments to the Drive be more carefully considered. The proposed Realigned Drive leading to the proposed Courtyard should have a different surface treatment to define it as a secondary access to avoid it competing with the drive accessing the Main House Forecourt.*

*There appears to be proposed piers and what may be a barrier or similar such feature located adjacent to the Main House Forecourt and the Drive Realigned. It is unclear what this feature is. Clarification is required. Concern would be raised if it is some form of barrier or gate as this would be an incongruous feature within such a location. If this is the case it should be removed from the development proposal.*

Within the revised covering letter dated 28th March 2024, it is suggested that a cobbled buffer strip and edging detail are proposed to delineate the service yard from the main approach. I agree with the earlier comments made by the previous conservation officer that there should be a variation in surface treatment between the driveway to the main house and the courtyard, thoughts should be given to this, and revisions made to address this.

With regards to the comments made previously regarding the proposed piers, which may accommodate some sort of barrier, the revised covering letter dated 28th March 2024 goes on to say; "Only one gate is proposed at the entrance to the main drive, where there is a fork to the adjacent farm. This is for security purposes as the primary gates at the entrance to the estate are on a shared access and not secure. A gate to the house is essential as the property has had several uninvited trespassers in recent months. Police references can be provided, if required".

This is acceptable; however, we will require a clear plan indicating where the gate is to be located.

#### Proposed landscaping

Comments made by the previous conservation officer were;

*It is advised the use of means of enclosures, including new hedges, gates and separate parking areas to service the outbuildings is avoided. It is important there is a strong sense of connection between the outbuildings and Glenfall House and that separate curtilages subdividing the main curtilage are not created.*

*As submitted it appears separate holiday lets with their own enclosed garden curtilages and parking are being proposed. The subdivision of the site through the creation of distinct curtilages associated with the proposed outbuildings raises significant concern. This subdivision is unwelcome and considered to harm the wider curtilage of Glenfall.*

Revisions have been made to address the above concerns, along with the proposed planting scheme this is now considered to be acceptable.

#### Proposed development of garaging and apartments

Comments made by the previous conservation officer were;

*There are concerns over the proposed development, which are considered a backward step over the submitted pre-application proposal, over which concerns were also raised. As submitted there are concerns over the cumulative impact of the location, scale, massing, detailing and creation of separate curtilages of the proposed outbuildings. It is considered significant amendment is required to address these concerns. As submitted the development proposal cannot be supported on heritage grounds.*

*The proposed Garage Block / Holiday Let Apartment is almost an 'L' shaped building, attached to north wing of Glenfall House and creating an enclosure to the Walled Garden. A general concern is raised that, cumulatively with the Leisure Building, it creates substantial built form within the immediate setting of Glenfall House. In trying to address the harm caused to the setting by the existing outbuildings harm is created elsewhere.*

*While there is a general concern over the scale and massing of the proposed Garage Block / Holiday Let Apartment, specific concern is raised over its width, which is wider than the north façade of the south wing of Glenfall House. Its built form is considered to be insufficiently broken up. This concern is exacerbated by its openness from the Drive and the Proposed Courtyard, which results in it being highly visible. A concern is also raised over the visual appearance of the Garage Block, the openings of which give it a modern character, out of keeping with its historic context.*

*The proposed attachment of the Garage Block to Glenfall House needs more careful consideration. As proposed the connection is too heavy and considered to detract from the appearance of the listed building. If a physical connection to Glenfall is going to be acceptable, the link needs to be lighter, through a reduction in its scale and massing such as a more significant set back and set down, having a true single storey (not one and a half as proposed), use of a hipped roof and/or use of materials such as a glazed link. It is advised separation between is more desirable.*

*The proposed use of gable ends on the ends of the proposed outbuildings result in a prominent and bulky addition to the first floors/roofs. It is advised the scale and massing is addressed through an amendment showing the removal or reduction of the prominence of the gables, achieved through, for example, the introduction of hipped roofs to reduce massing and to loosely reflect the hipped roof of Glenfall. The buildings need to appear as discreet as possible.*

*Two gables facing onto the courtyard creates a unwelcomely strong visual feature. It is generally considered the fenestration to the outbuildings is excessive and overly domestic in character, having a domestic appearance rather than service outbuildings that are ancillary and subservient to the main house. It is advised significant revision of the number and type of fenestration is required.*

*The proposed use of oriel windows as a feature on the gable ends is considered to be an overly decorative feature that will draw the eye. It is important the outbuildings reflect their low hierarchical status and not draw attention away from the main house. It is advised the oriel windows be removed.*

*Concern is raised over the proposed use of powder coated aluminium windows. These are considered to have a heavy appearance that would be out of keeping with the character and appearance of Glenfall House. It is advised timber or lightweight steel window be used.*

Revisions have now been made to the garage block and apartments based on previous comments and advice. It is acknowledged that the recent revisions made have gone some way to address the concerns raised by the previous conservation officer, in that, the proposed new garaging and apartments have been broken up to an extent to alleviate the mass and scale. The new development has also been set back from the main house by introducing a single storey garage, which adjoins the two buildings. The openings to the garage block has now been revised to a more traditional opening 'style' which is more in-keeping and sympathetic to the surroundings, and hipped roofs have been introduced to reduce massing.

Whilst the above revisions have been made, the proposed scheme has taken a step back again. The revised proposals are now for a two-storey building that takes architectural detailing and a style from the main house, with chimneys, parapets, traditional sash windows and canopies over the entrance doorways. All of these elements form features from domestic dwellings with the overall appearance being an extension to the main house. There is no ancillary definition between the new development and historic building, apart from the garage openings. Notwithstanding the design there is also no subservience, and the increase to two-story has again increased the scale and massing.

It has been made clear throughout the pre-application process and the submission of the full and listed building consent applications that there were concerns regarding the design, subservience and the scale and massing. Again, cumulatively with the proposed leisure building, substantial built form is proposed within the setting of Glenfall House, which cannot be supported in its current proposal due to the 'less than substantial harm' that would be caused to the heritage asset and its setting.

The principle of the proposed scheme has been accepted, however, the design of the garaging and apartments will need to be revised again, for officer's support to be forthcoming. The heritage team want to support the application and would be happy to discuss a revision again. Looking at all of the proposed designs for this building, throughout the pre-application process and the submission of full applications, I can confirm the following;

- The break between the main house and the new development is acceptable.
- The introduction of hipped roofs are acceptable.
- The arched garage openings are acceptable.
- It would be preferable for the proposed materials for the garaging / apartments differs from the main house to ensure a contrast. The previously proposed material was brick this should be re-introduced.
- Whilst keeping the proposed layout for the new development, which is now acceptable, the proposed two-storey development should be reduced to 1.5 storey.
- Dormer windows would be acceptable but kept to a minimum.
- The overall design should reflect an ancillary building, with simple fenestration / doors etc.

### **Heritage And Conservation 3**

*9th September 2024 –*

Glenfall House 23/01424/LBC

Drawings 13th May 2024

Greenhouse

Brochure details of the greenhouse have been submitted. The overall scale and design is considered acceptable in principle with respect to scale design and materials, notwithstanding the need for more detailed drawings including sections the profile of glazing and samples of materials. The indicative elevations/site plan demonstrate the greenhouse would be aesthetically acceptable and appear subservient within the overall context of the group of heritage assets.

#### Proposed tennis court

The principle of reinstating a tennis court in the location of an historic tennis court is acceptable. Details of the Pladex tennis court, in green, with mesh and obelisks post fencing are acceptable. The proposed tennis court would be visually recessive (a purple/blue surface would not be appropriate) and appropriate to the historic context.

#### Revisions made 30th July 2024

The proposed removal of the historic extensions to the main house are acceptable, as are the proposed internal alterations to Glenfall House.

#### Garage Store Building

The garage /workshop is acceptable in size by 1m and is now timber clad to ensure simplicity and status of workshop building. The change to red brick is welcome, as is the timber cladding.

#### Outbuildings

Demolition of the existing outbuildings represents an opportunity to create clear hierarchy of buildings across the site, with the main house retaining visual prominence. Whilst it is accepted that the standing group of curtilage listed buildings are of low significance and that as a result of change over time the current outbuildings lack cohesion, this does not in itself justify the extent of the proposed footprint of the apartment range.

The existing outbuildings (considered curtilage listed), whilst of low significance, form part of the historical significance of the Glenfall estate. Albeit that the standing buildings are much evolved, visually they read as service buildings, set back from the south elevation of Glenfall House allowing the listed building to retain prominence and are illustrative of the evolution of the country estate.

The latest proposals comprise a substantial L-shaped two storey building to the east of the listed building, with a single storey leisure building attached at the rear of the range and a greenhouse and garage to the east of the south lawn.

There are several direct heritage benefits, as set out on page 24 of the Heritage Statement, these are acknowledged and welcome. It would have been pertinent to update the Heritage Impact Statement in light of the revised proposals, in line with paragraph 200 of the NPPF. An elevation of the swimming pool elevation is also required to assess the scheme and officers await this drawing, in order to assess the proposal. Gate location details are also required to assess the proposal.

Timber cladding of the garage is welcome and the slight reduction in the scale of the garage block, on balance, would be acceptable, on the basis that the attached range is reduced in size as discussed below.

To create a sense of a 'service courtyard' the proposed apartment buildings should be scaled back with the L-shaped service range reduced in length and, ideally, in height to 1.5 storeys, such that the range presents within the group of buildings as a visually recessive element within the setting of Glenfall House.

The single storey 'break' between the main house and the new development is acceptable and the introduction of hipped roofs and the arched garage openings is welcome. Brick has been re-introduced as a contrasting material, which is also welcome. The Leisure building would read better within the scheme if it was separated from the main range and relocated back to the north-east but not linked. There is an opportunity to open-up the view of the oak

tree from main house by re-siting of the leisure building and/or removal of the arch feature on the main range, this opportunity has not been harnessed under the latest scheme drawings (although this was presented on an earlier version of the proposals).

Officers previously advised that the proposed two-storey range should be reduced to 1.5 storey and that the overall design should reflect an ancillary building, with simple fenestration and a less domestic appearance. This has been achieved, to a degree, and in principle the thrust of the design and enclosing the courtyard could be supported. However, the scale and length of the range cannot be supported. The overall footprint and of the proposal, including the leisure building, would be larger than the listed building, this coupled with the scale and minimal set back from the rear building line would result in a set of buildings that compete visually and therefore would not be subservient to the heritage asset.

The principle of demolition of the curtilage buildings has been accepted on the basis that new development coming forward mitigates heritage harm. Whilst the scheme includes direct heritage benefits, these would not balance out the level of harm to significance that would occur as a result to an unacceptable impact on the setting of Glenfall House (grade II listed), Glenfall lodge (grade II listed), Gate Piers, Gates and Walls to Glenfall House (grade II) Rose Gate (grade II listed) and Glenfall House Registered Park and Garden (grade II). As a group these assets relate visually to each other and their settings overlap. The heritage context is therefore rich and of all assets are of high significance.

The proposal cannot be support in its current form. There are significant concerns regarding the scale, massing, design and layout of the proposed attached outbuildings. The main range of outbuildings component of the proposal cannot be supported, on the basis that by virtue of an unacceptable impact on the setting of heritage assets, the proposal would fail to preserve the special historic and architectural interest of heritage assets. The level of harm would be at the higher end of the 'less than substantial' scale, engaging paragraph 208 of the NPPF and contrary to policy SD8 of the Joint Core Strategy. The revised proposals July 2024 cannot be supported from a heritage perspective as it stands.

### **The Gardens Trust**

*13th February 2024 -*

The Garden Trust, as Statutory Consultee for Planning Applications that may impact on Listed or Registered parks, gardens and landscapes, has notified The Gloucestershire Gardens and Landscape Trust (GGLT) to respond on its behalf.

The proposal is of particular interest to GGLT, as it was through the action of the Trust that the Arts and Crafts terrace and other key features were recognised, and resulted in its being Listed.

It is considered that these proposals by Yiangou Architects should be welcomed as Glenfall House and its immediate setting has had a rather chequered recent history. This proposal which recasts the house and reinterprets the currently outworn associated buildings should maintain the character, quality and presence of this heritage asset into the future.

The immediate garden setting and its impact and use of the wider landscape setting is being refreshed and its quality in terms of materials and detailing maintained. However, one observation that should be considered is moving the proposed replacement tennis court further South and which could reduce its visual impact. This should include assessing the impact of its surrounding netting (if used) and the view from the croquet lawn and the West front of Glenfall House over the restored pergola.

### **Parish Council 1**

*8th November 2023 –*

No objection.

**Parish Council 2**

*2nd September 2024 –*

The Committee does not object to this application and notes its acceptance by the Cotswold National Landscape Board and Natural England's comments on wildlife.

**Cotswold Conservation Board (Cotswold National Landscape) 1**

*9th November 2023 - Letter available to view in documents tab.*

Summary – no objection in principle but concerns raised over proposed internal and external lighting and impact on dark skies

**Cotswold Conservation Board (Cotswold National Landscape) 2**

*1st May 2024 - Response available to view in documents tab.*

**Cotswold Conservation Board (Cotswold National Landscape) 3**

*5th September 2024 –*

Thank you for consulting the Board on the latest round of revised drawings for the above application. The Board has no further comments on the revised drawings, but our comments contained within our response dated 30 April 2024 regarding the conditioning of a site-wide lighting scheme including the replacement of the non-directional floodlights agreed to by the applicant still stand.

**Natural England**

*25th April 2024 –*

Our Reference: 473544

Application No: 23/01424/FUL

Proposed Development: Part change of use of principal building from hotel/event venue to single dwelling (C3), including removal of extensions/alterations to principal building. Demolition of coach house, stables and 20th century buildings and extensions and replacement with new outbuildings consisting of garaging, holiday let apartments (C1), leisure building (including swimming pool) and a greenhouse. Alterations to historic landscaped grounds and kitchen garden.

Location: Glenfall House Mill Lane Charlton Kings.

Thank you for your consultation.

Despite the proximity of the application site to a European Site -i.e. the Cotswold Beechwoods SAC, the consultation documents provided do not include information to demonstrate that the requirements of regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended) have been considered by your authority, i.e. the consultation does not include a Habitats Regulations Assessment. Natural England advises that a Habitat Regulations Assessment is required as the proposal has the potential to impact the RAMSAR/SAC.

It is Natural England's advice that the proposal is not directly connected with or necessary for the management of the European site. Your authority should therefore determine whether the proposal is likely to have a significant effect on any European site, proceeding to the Appropriate Assessment stage where significant effects cannot be ruled out. Natural England must be consulted on any appropriate assessment your authority may decide to make. Please note that the usual 21 day deadline will apply on receipt of the consultation.

**Tree Officer 1**

*15th November 2023 –*

A suitable method statement (conforming to BS5837) to describe the resurfacing of the drive should be submitted. These works will be within the root protection area of T9 and due care should be given to avoid damaging the roots of these trees.

The planting scheme, although generous, lacks detail (species, tree size, pit details). A landscape plan should be submitted to include such details and should include the recommendations made by the arborist to mitigate for the loss of T8.

Foundations of new buildings should be designed to account for the proximity of retained trees. Building Control can be consulted to provide further advice.

It should be noted that trees on site are protected by virtue of TPO721.

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

### **Tree Officer 2**

30th August 2024 –

As before, the revisions do not appear to increase any impact on trees and the tree protection plan previously submitted appears to still be valid. However, the documents requested by the Trees Section previously are yet to be submitted. Without these documents, the scheme cannot be properly assessed.

### **GCC Local Flood Authority (LLFA) 1**

2nd November 2023 –

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

#### Flood Risk

The Flood Risk Assessment (FRA) shows that the site is in flood zone 1 and is shown to be at low risk according to the Risk of Flooding from Surface Water map.

#### Surface water management

##### Discharge strategy

The Application Form states that surface water will be discharged to a Main Sewer but the FRA and Landscape Strategy (23029.101-E) suggest soakaways will be used. This should be clarified.

The geology of the site is mudstone/siltstone, which is generally not conducive for infiltration. If soakaways are being proposed then infiltration tests should be carried out and submitted to show it will be viable.

If infiltration isn't possible or infiltration tests have not been carried out then an alternative strategy to either discharge into a watercourse or a nearby surface water sewer should be provided.

#### Discharge rates

If discharging surface water offsite, the rate should be given and should be as close as reasonably practicable to the greenfield runoff rate for QBar.

#### Drainage strategy and indicative plan



The Landscape Strategy plan does show the location of some soakaways but, as explained above, no information has been provided to show that these will function. The surface water drainage should ensure the development does not increase the rate and volume of surface water leaves the site (and where possible reducing the discharge rate to as close as possible to the greenfield runoff rate) in rainfall events up to and including the 1 in 100 year rainfall event plus climate change and without flooding on site in a 1 in 30 year rainfall event. This may require attenuation in the form of Sustainable Drainage Systems (SuDS), which should be shown on a layout plan and the capacity of any features given based on suitable calculations.

Where required, water quality will need to be managed through passing surface water through SuDS before being discharged off site.

### Climate Change

It is estimated that climate change will bring a 40% increase in the peak rainfall intensity. This will need to be incorporated into the drainage design.

### Exceedance Flow Plan

Where surface water will flow when the design of the drainage is exceeded should shown, however, this will depend on the final topography of the site and can be provided with a detailed design condition.

### LLFA Recommendation

While some information has been given on the drainage, it is insufficient for this type of application and doesn't demonstrate the proposal meets the design guides of the Non-Statutory Technical Standards for Sustainable Drainage and the CIRIA SuDS Manual.

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

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

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

### **GCC Local Flood Authority (LLFA) 2**

*22nd August 2024 -*

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

There does not appear to be any further information on the surface water drainage strategy in the latest plans submitted. The LLFA has no further comments to make beyond those made on 02 November 2023.

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

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

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

### **Environmental Health 1**

*22nd November 2023 –*

In relation to 23/01424/FUL & 23/01424/LBC, Glenfall House, Mill Lane, Charlton Kings, GL54 4EP, please find the below response from Environmental Health.

Environmental Health Conditions:

1. Details of the type/model, location and predicted noise levels of the proposed air source heat pumps (ASHPs) shall be submitted to and approved in writing by the local Planning authority, prior to installation. Any ASHP installed shall be in accordance with the details approved. The ASHPs shall be retained and maintained as such thereafter unless otherwise first agreed in writing by the Local Planning Authority.

2. Details of the type/model, location and predicted noise levels of the proposed ground source heat pump (GSHP) shall be submitted to and approved in writing by the local Planning authority, prior to installation. Any ASHP installed shall be in accordance with the details approved. The ASHPs shall be retained and maintained as such thereafter unless otherwise first agreed in writing by the Local Planning Authority.

3. No development shall begin until a sound insulation scheme has been submitted to and approved by the Local Planning Authority. The scheme should incorporate how to protect the habitable rooms in the residential units of the proposed development from the noise from the nearby working farm, which may include the use of equestrian stables, noise from animals/workers, and weaning of cattle, for example.

The noise assessment shall be carried out by a suitably qualified acoustic consultant/engineer and shall take into account the provisions of BS 8233: 2014 "Guidance on sound insulation and noise reduction for buildings", any acoustic attenuation scheme designed for this property shall achieve at least the 'reasonable' design range for living rooms and bedrooms from the British Standard referenced. The approved scheme shall be implemented prior to the commencement of the use and be permanently maintained thereafter.

- o Bedrooms (night time - 23.00 - 07.00) 30 dB LAeq (individual noise events should not normally exceed 45 dB L<sub>Amax,F</sub> by more than 15 times)
- o Living Rooms (daytime - 07.00 - 23.00) 35 dB LAeq

4. No development shall take place, including any works of demolition, until a construction management plan or construction method statement has been submitted to and been approved in writing by the Local Planning Authority. The approved plan/statement shall be adhered to throughout the construction period. The statement shall provide for:

- 24 hour emergency contact number
- hours of operation
- parking of vehicle of site operatives and visitors (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction)
- routes for construction traffic
- locations for loading / unloading and storage of plant, waste and construction materials
- method of prevention of mud being carried onto highway - measures to protect vulnerable road users (cyclists and pedestrians)
- any necessary temporary traffic management measures - arrangements for turning vehicles

- arrangements to receive abnormal loads or unusually large vehicles - methods of communicating the construction management plan to staff, visitors and neighbouring residents and businesses
- waste and material storage
- control measures for dust and other air-borne pollutants
- demolition method statement
- measures for controlling the use of site lighting whether required for safe working or for security purposes.

5. All leisure facilities are for the use of the residents of Glenfall House and guests of the holiday lets only and not for public use or external hire.

6. There is to be no amplified music within the leisure facilities after 22:00.

Informatives:

- For the construction phase to be kept within the times of work as follows: 07:30 - 18:00 Monday - Friday and 08:00 - 13:00 Saturdays with no works to take place on a Sunday or Bank Holiday and to be mindful of noise when deliveries arrive at the site.

### **Environmental Health 2**

*23rd May 2024 –*

I have no reason to object or be concerned by the installation of a solar array. They are silent in operation and don't produce anything that would affect anyone living around the site. The aesthetic appeal of such a facility is outside my remit.

### **Environmental Health 3**

*22nd August 2024 –*

In relation to application reference 23/01424/FUL (and 23/01424/LBC) for Glenfall House, Mill Lane, Charlton Kings, Cheltenham, GL54 4EP please can the following be added from Environmental Health:

Conditions:

1. Details of the type/model, location and predicted noise levels of the proposed air source heat pumps (ASHPs) shall be submitted to and approved in writing by the local Planning authority, prior to installation. Any ASHP installed shall be in accordance with the details approved. The ASHPs shall be retained and maintained as such thereafter unless otherwise first agreed in writing by the Local Planning Authority.
2. Details of the type/model, location and predicted noise levels of the proposed ground source heat pump (GSHP) shall be submitted to and approved in writing by the local Planning authority, prior to installation. Any ASHP installed shall be in accordance with the details approved. The ASHPs shall be retained and maintained as such thereafter unless otherwise first agreed in writing by the Local Planning Authority.
3. No development shall begin until a sound insulation scheme has been submitted to and approved by the Local Planning Authority. The scheme should incorporate how to protect the habitable rooms in the residential units of the proposed development from the noise from the nearby working farm, which may include the use of equestrian stables, noise from animals/workers, and weaning of cattle, for example.
4. The noise assessment shall be carried out by a suitably qualified acoustic consultant/engineer and shall take into account the provisions of BS 8233: 2014 "Guidance on sound insulation and noise reduction for buildings", any acoustic attenuation scheme designed for this property shall achieve at least the 'reasonable' design range for living rooms and bedrooms from the British Standard referenced. The approved scheme shall be

implemented prior to the commencement of the use and be permanently maintained thereafter.

- Bedrooms (night time - 23.00 - 07.00) 30 dB LAeq (individual noise events should not normally exceed 45 dB L<sub>Amax,F</sub> by more than 15 times)
- Living Rooms (daytime - 07.00 - 23.00) 35 dB LAeq

5. No development shall take place, including any works of demolition, until a construction management plan or construction method statement has been submitted to and been approved in writing by the Local Planning Authority. The approved plan/statement shall be adhered to throughout the construction period. The statement shall provide for:

- 24 hour emergency contact number
- hours of operation
- parking of vehicle of site operatives and visitors (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction)
- routes for construction traffic
- locations for loading / unloading and storage of plant, waste and construction materials
- method of prevention of mud being carried onto highway - measures to protect vulnerable road users (cyclists and pedestrians)
- any necessary temporary traffic management measures - arrangements for turning vehicles
- arrangements to receive abnormal loads or unusually large vehicles - methods of communicating the construction management plan to staff, visitors and neighbouring residents and businesses
- waste and material storage
- control measures for dust and other air-borne pollutants
- demolition method statement
- measures for controlling the use of site lighting whether required for safe working or for security purposes

6. All leisure facilities are for the use of the residents of Glenfall House and guests of the holiday lets only and not for public use or external hire.

7. There is to be no amplified music within the leisure facilities after 22:00.

Informative:

For the construction phase to be kept within the times of work as follows: 07:30 - 18:00 Monday - Friday and 08:00 - 13:00 Saturdays with no works to take place on a Sunday or Bank Holiday and to be mindful of noise when deliveries arrive at the site.

### **GCC Highways Planning Liaison Officer**

*17th November 2023* - Letter available to view in documents tab.

Summary - no objection raised subject to conditions

### **Ecologist 1**

*31st May 2024* -

We have reviewed the Ecological documents and our response with regards to Ecology is provided below.

The bat surveys confirmed that the roof of the main house provides roosting habitat for common pipistrelle (summer day roosts) and Myotis bats (maternity and satellite roosts); and that the coach house provides roosting habitat for common pipistrelle bat (summer day roost). The Myotis roosts will be subject to disturbance and the common pipistrelle roosts

will be lost during the development proposals, Therefore works cannot legally proceed until an EPS mitigation licence from Natural England is obtained as stated in the bat report. The bat survey information in terms of bat activity across the site will be used to inform lighting plans to ensure they are designed to minimise disturbance to roosting and foraging bats. Appropriate bat mitigation is detailed in the bat report.

Precautionary measures for nesting birds, badgers, reptiles, amphibians and hedgehogs are also outlined in the report.

The BNG report demonstrates that the development can achieve over 10% net gain for linear and area habitats.

Requirements prior to determination:

none

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

1. Bat mitigation and enhancement to be undertaken as outlined in the Bat Report of All Ecology. Bat sensitive lighting plan to show lux levels and locations of bat roosting features to be submitted to the LPA for review and approval prior to commencement. A copy of the EPS mitigation licence for bats to be submitted to the LPA prior to commencement.

2. Ecological Management Plan and Landscape and Ecological Management Plan (LEMP) to be submitted to the LPA for review and approval prior to commencement to demonstrate that the positive BNG predicted for linear and area habitats can be achieved over the 30 year period. LEMP to show locations of wildlife features including bat/bird boxes, log piles, hedgehog passes etc (These two documents can be combined if preferred)

3. Other mitigation and enhancement recommendations for protected species (in particular, nesting birds, badgers, hedgehogs, reptiles, amphibians) as outlined in the Ecological Appraisal and Great Crested Newt Survey reports by All Ecology are to be followed. In addition, any fencing is to have hedgehog access gaps fitted at base to ensure that the habitat remains permeable to this species.

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

- NPPF Para 180 - 194 (Conserving and Enhancing the Natural Environment), National Planning Policy Framework1
- SD9 Biodiversity and Geobiodiversity
- INF3 Green Infrastructure

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

Cheltenham Plan, Adopted 2020.

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

Wildlife legislation context:

- Wildlife and Countryside Act 1981 (as amended)
- Conservation of Habitats and Species Regulations 2017

- Natural Environment and Rural Communities (NERC) Act 2006
- Protection of Badgers Act 1992

## **Ecologist 2**

*27th August 2024 –*

I have reviewed the revised Proposed Site Plan (dwg no: 2682-2105 REV E) against the previous LPA Ecologist's comments (May 2024), the Preliminary Ecological Appraisal (All Ecology, April 2023), the Bat Emergence survey results (All Ecology, August 2023), and the Great Crested Newt survey results (All Ecology, July 2023). I'm satisfied the changes shown on the revised site plan do not trigger the need for further comment beyond the previous LPA Ecologists recommendations. The conditions applied previously must still be applied.

## **Cheltenham Civic Society**

*17th November 2023 - OBJECT*

We welcome the proposals for the main house.

In principle, we support the reconfiguring of outbuildings but not the wholesale demolition of all the ancillary buildings. We are concerned about the potential loss some of the historic outbuildings such as the coach house and stables, to be replaced by bland modern buildings. The comments of the planning officer and conservation officer about the previous application regarding these buildings are as relevant to this scheme too.

We echo the concerns raised by the AONB about the potential for light pollution.

We welcome the plans for re-instatement of the Arts and Crafts style garden.

## **Minerals And Waste Policy Gloucestershire**

*9th November 2023 - Letter available to view in documents tab.*