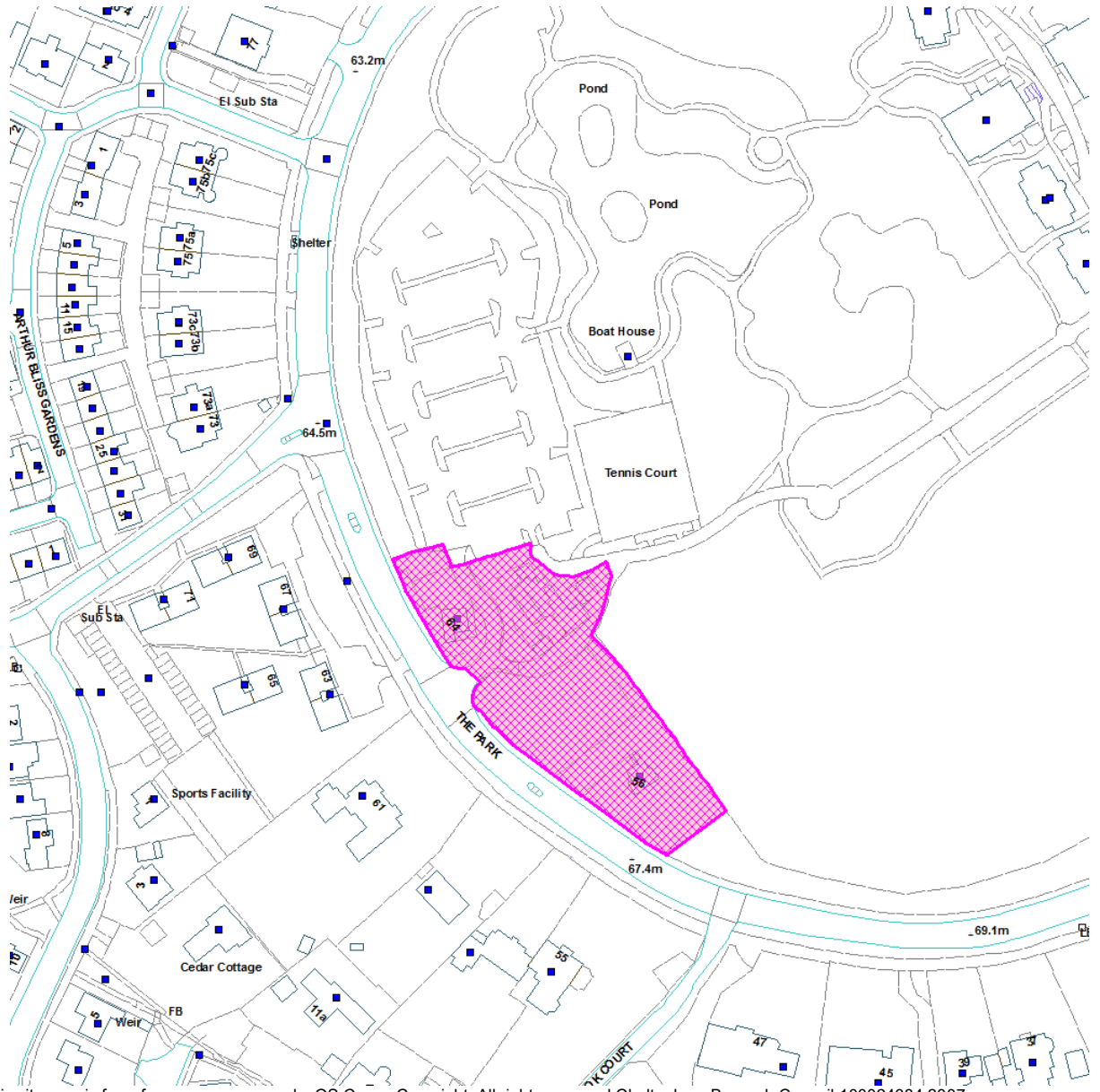


APPLICATION NO: 25/01567/FUL		OFFICER: Mrs Lucy White
DATE REGISTERED: 15th October 2025		DATE OF EXPIRY: 10th December 2025/Extension of Time Agreed Until 27 th April 2026
DATE VALIDATED: 15th October 2025		DATE OF SITE VISIT:
WARD: Park		PARISH:
APPLICANT:	Robert Deacon Builders Ltd	
AGENT:	SF Planning Limited	
LOCATION:	Broadlands Lodge 56 The Park Cheltenham	
PROPOSAL:	Creation of new vehicular access to the university car park. Demolition of The Farmery buildings and erection of 2no. dwellings. Change of use of Broadlands Lodge and the Farmery Lodge to residential with associated extensions, access and landscaping.	

RECOMMENDATION: Permit subject to a 106 Obligation



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1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1** The application site comprises of a parcel of land and buildings formerly owned by and located within the University of Gloucestershire (UoG) Park campus. There are three buildings currently on site: the Farmery Lodge, The Farmery and Broadlands Lodge (56 The Park). All are brick built, predominantly two storeys in height and period properties. The exact current/last use of the existing buildings is unknown, but it is understood that the Farmery buildings were last used for purposes ancillary to the UoG with Broadlands used for university office/administrative purposes. Currently, all existing buildings are unoccupied.
- 1.2** Pedestrian and vehicular access to all three buildings is via the existing UoG access off The Park. This access also serves the main car park of the UoG Park campus. There is an additional vehicular rear access only to Broadlands Lodge running along the northeast boundary of the application site; accessed via the existing main site access.
- 1.3** A large open area separates the two Farmery buildings from Broadlands Lodge. This land includes a number of large, mature trees and mature boundary hedging. The site boundary to the north is otherwise open and there are views from this green space to the University campus buildings, tennis courts and wider University grounds. Surrounding development to the south of the site consists primarily of large detached residential properties and apartment buildings of varying age and architectural style.
- 1.4** There is no public footpath on the north side of this section of The Park, although there is evidence of informal pedestrian use of the narrow grass verge in front of the open space. Frontage areas to the west and east of the site, including the front boundary of Broadlands Lodge, are heavily landscaped with trees and mature hedging, such that any buildings set behind are partly obscured from view. This landscaped, natural boundary treatment is evident along the majority of the Park campus road frontage, in addition to the tree lined street itself.
- 1.5** The application site is located wholly within The Park Character Area of Cheltenham's Central Conservation Area. Broadlands Lodge is identified as 'a positive building' in The Park Character Appraisal and Management Plan SPD (2008). These buildings therefore make a positive contribution to the character and appearance of the conservation area. There are 3 no. grade II listed buildings located opposite the site and several grade II listed and 'key unlisted' buildings within or adjacent the campus grounds.
- 1.6** The site is also located within Flood Zone 1 and therefore at low risk of fluvial flooding.
- 1.7** The application proposes the creation of a new vehicular access to the university car park, the demolition of The Farmery buildings and the erection of 2 no. new dwellings. The change of use of Broadlands Lodge and the Farmery Lodge to residential with associated extensions, access and landscaping is also proposed, resulting in four new dwellings across the site in total.
- 1.8** The application follows the submission of a pre-application enquiry in March 2025 for the re-development of the site and demolition of all existing buildings to provide 7 no. dwellings and the construction of an apartment block for 4 units.
- 1.9** In response to various concerns raised by officers and consultees, the current proposal has been substantially revised during the course of the application. The revised drawings show a reduction in the height/scale of the proposed two new-build dwellings and alterations to their layout and footprint. An additional drawing indicating the proposed residential curtilages of each dwelling/plot has also been submitted alongside minor revisions to the proposed conversion works to Farmery Lodge and Broadlands. A slight adjustment to the alignment of the proposed new vehicular access to the University Car

Park, to avoid the Root Protection Area of retained trees, is also included. Some of the supporting documents have been updated in response to the scheme revisions.

- 1.10** The application is being determined by the Planning Committee at the request of Councillors Barrell and Chelin. The reasons given for the referral are as follows: -

Concerns as expressed by the Civic Society about the effect of the design and scale of the development on the character area of The Park. Residents have mentioned concerns about this.

Although the height has been reduced there are still concerns about the “out of keeping” design of the buildings and the precedent this sets, and also loss of public access.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Airport Safeguarding over 45m
Conservation Area
Central Conservation Area
Principal Urban Area

Relevant Planning History:

25/00432/PREAPP 31st July 2025 CLO

Demolition of existing buildings and redevelopment to provide 7no. houses and 4no. apartments.

25/01301/CACN 13th October 2025 TPO

Remove three western red cedars (Ts 39, 40, 41)

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

EM2 Safeguarding Non-Designated Existing Employment Land and Buildings
D1 Design
D3 Private Green Space
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

SP1 The Need for New Development
SD4 Design Requirements
SD8 Historic Environment

SD9 Biodiversity and Geodiversity
SD10 Residential Development
SD11 Housing Mix and Standards
SD14 Health and Environmental Quality
INF1 Transport Network
INF2 Flood Risk Management

Supplementary Planning Guidance/Documents

Development on garden land and infill sites in Cheltenham (2009)
Central conservation area: The Park Character Area and Management Plan (July 2008)
Cheltenham Climate Change (2022)

4. CONSULTATIONS

See appendix at end of report

5. PUBLICITY AND REPRESENTATIONS

Number of letters sent	23
Total comments received	17
Number of objections	15
Number of supporting	2
General comment	0

5.1 Letters were sent to 23 neighbouring properties. In addition, site notices were displayed within the vicinity of the site and advert was placed in the Gloucestershire Echo. A total of 17 representations were received, the majority of which objected to the proposed development. The comments and concerns raised, summarised (but not limited to), are as follows:

- Harmful impact on the character and appearance and historic importance of The Park Character Area/Conservation Area and its Regency heritage value. Proposals fail to preserve and/or enhance the character of the Conservation Area.
- Encroachment and loss of characteristic openness of the Park and impact on important views within and across The Park/university campus
- Size and scale of development should not be significantly bigger than the existing
- Mass and scale of a three-storey development is inappropriate in this context
- Contemporary design and materiality are in stark contrast to surrounding development
- Risk of setting a precedence for further inappropriate development within The Park
- New University access is not needed
- Loss of trees and hedgerows
- No proposed pedestrian access to university campus resulting in pedestrian safety implications
- University should not be selling off land in a conservation area

- Conversion of Broadbands and Farmery Lodge to residential use is considered acceptable and would re-purpose underutilised buildings
- Design of new dwellings is in keeping with surrounding development, particularly with the recently built flats at No 81 The Park

5.2 The Civic Society and the St Phillips And St James Area Association have also objected to the proposals. Their comments are set out in full in the Consultations section of the report.

6. OFFICER COMMENTS

6.1 Determining Issues

6.2 The issues to consider are

- (i) the principle of the demolition of the existing buildings
- (ii) the principle of the redevelopment of the site for residential purposes
- (iii) design, scale, layout and massing of the proposed development and their impact upon the character and appearance of the conservation area and locality in general
- (iv) the potential effects on the amenities of neighbouring land users and future occupiers of the development
- (v) parking, access and highway safety issues
- (vi) drainage and flood risk
- (vii) ecology and biodiversity net gain
- (viii) impact on existing trees and landscaping
- (ix) sustainability and climate change
- (x) recreational pressure on the Beechwoods Special Area of Conservation (SAC).

6.3 The extent to which the current proposals address the concerns raised by officers at pre-application stage must also be considered.

6.4 Although not a material consideration of this application, Members should note that the application site/buildings are no longer occupied by the University of Gloucestershire and are now under separate ownership.

6.5 Principle of Development/Policy Context

6.6 The development plan comprises of the saved policies of the Cheltenham Borough Local Plan Second Review 2006 (CBLP), adopted policies of the Cheltenham Plan 2020 (CP) and the Tewkesbury, Gloucester and Cheltenham Joint Core Strategy 2017 (JCS). Other material considerations include the National Planning Policy Framework 2024 (NPPF), and Planning Practice Guidance (nPPG).

6.7 Policies D1, D3, SL1, GI2 and GI3 of the CP and policies INF1, SD4, SD8, SD9, SD10 and SD14 of the JCS are most relevant.

6.8 The application site is located within the Principal Urban Area (PUA) of Cheltenham and partly within the Central Conservation Area. The Environment Agency's (EA) Flood Map

indicates that the site is at low risk of flooding (Flood Zone 1). The site is within reasonable walking distance of the town centre and Central Shopping Area. The site can therefore be considered a sustainable location for new residential development, in the context of the NPPF.

- 6.9** JCS policy SD10 advises that housing development will be permitted at sites allocated for housing through the development plan, including Strategic Allocations and allocations in district and neighbourhood plans. On sites that are not allocated, housing development will be permitted on previously developed land within the Principal Urban Area of Cheltenham except where otherwise restricted by policies within the District Plans. The application site constitutes previously developed land and is located within the PUA. Therefore, the general principle of residential development on this site must be considered acceptable.
- 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, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination'*. 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 Central Conservation Area and nearby listed buildings.
- 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. As such, the contribution of 4 dwellings towards alleviating the housing land supply shortfall carries weight and is a material consideration in the determination of this planning application.
- 6.14** Both Broadlands Lodge and Farmery Lodge were originally constructed as dwelling houses, although more recently, have been used for office/administration purposes associated with the University. Given that the buildings were originally intended as dwellinghouses, the proposal to change their use is therefore welcomed and considered acceptable in principle. The proposals therefore also satisfy the exemption criteria of Policy EM2 which otherwise seeks to retain land or buildings currently in employment use.
- 6.15** Notwithstanding the above, the proposed design, layout and scale of the proposed development and their impacts upon the character and appearance of the conservation area, setting of nearby listed buildings, trees and landscaping, highway safety and the amenities of neighbouring and future land users, all require careful consideration to determine whether the scheme overall is acceptable.
- 6.16 Demolition/Retention of Existing Buildings**
- 6.17** At pre-application stage, officers advised that the existing buildings on the site appear to be structurally sound and in good condition and make a positive contribution to the character and appearance of the conservation area. Broadlands Lodge is identified as a

key positive building within The Park Character Area Appraisal. Collectively, the existing buildings were therefore considered to contribute positively to the significance of the conservation area.

- 6.18** Officers therefore advised that the buildings should be retained where possible and that their conversion and/or extension should be fully explored and ruled out first, before any demolition was contemplated. This advice applied in particular to Farmery Lodge and Broadlands Lodge, which are considered to make the greatest contribution to the character and appearance of this part of the conservation area. Officers further advised that any replacement building(s) would need to be appropriate in terms of quantum, layout, scale and massing, and be of a high standard of architectural design that responds positively to the character and distinctiveness of this part of the conservation area.
- 6.19** Whilst the proposed retention and conversion of Broadlands Lodge and Farmery Lodge is a welcomed element of the current proposals, clear and convincing justification is required for the proposed removal of The Farmery structures, which constitutes relevant demolition within a conservation area. The submitted Planning Statement/Heritage Impact Statement includes an assessment of the historic significance of the existing buildings on site which has been reviewed by the Conservation officer (CO).
- 6.20** The CO concludes that there are no significant heritage concerns arising from the proposed demolition of The Farmery, either in terms of the building's heritage value or the wider significance of the conservation area. Their comments are as follows: -

The Farmery has been heavily altered and retains limited original form. Its demolition, therefore, could be considered acceptable on heritage grounds, provided that its removal does not precipitate harm through the introduction of inappropriate replacement structures. Crucially, the test is not simply whether what is removed is of low significance; it is whether what is proposed in its place preserves or enhances the character and appearance of the conservation area.

- 6.21** In light of the above, the proposed demolition of The Farmery and its associated structures is considered acceptable in principle.

6.22 Design and layout

- 6.23** Section 12 of the NPPF sets out that good design is a key aspect to achieving sustainable development and creating better places in which to live. Similarly, Policy SD4 of the JCS requires development to respond positively to and respect the character of the site and its surroundings. These objectives are reiterated in Policy D1 of the Cheltenham Plan which requires development to achieve a high standard of architectural design that complements neighbouring development.
- 6.24** Although the application involves demolition works and new, replacement residential development, the application site has characteristics of an infill plot. As such, consideration of the general principles and guidance set out within Cheltenham's Supplementary Planning Document, '*Development on Garden Land and Infill Sites*', is relevant. This document sets out the various elements that are considered to create the character of an area and includes grain, type of building, location of buildings, plot widths and building lines.
- 6.25** When determining planning applications, the local planning authority must also take account of the statutory duty of section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess. The surrounding historic environment contains a number of listed buildings, including the listed buildings of the adjacent University campus. Similarly, section 72(1) of

the Planning (Listed Buildings and Conservation Areas) Act 1990 requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of conservation areas.

- 6.26** Section 16 of the NPPF (2024) sets out the importance of conserving and enhancing heritage assets. This is reflected in Policy SD8 of the Joint Core Strategy which requires development to make a positive contribution to local character and distinctiveness, having regard to the valued elements of the historic environment.
- 6.27** NPPF paragraph 212 advises that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Paragraph 213 advises that 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.
- 6.28** Paragraph 215 advises that 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.
- 6.29** As set out in the introduction, the proposed development (as revised) includes the conversion of two existing buildings, Farmery Lodge and Broadlands, into residential dwellings. The proposed works comprise a first-floor side and rear extension to Farmery Lodge together with other internal and external alterations to both buildings. The existing, two storey Farmery structures would be demolished and replaced with two new, two storey dwellings. The area of open space separating Broadlands from the remainder of the site would be retained, along with the existing vehicular access to Broadlands, which runs across the rear of this open space. Existing hedging would be retained, with new railings erected along the south-west boundary of the open space facing The Park. Additional railings would be installed along a section of the roadside boundary of Farmery Lodge.
- 6.30** The retained open space would not form part of the curtilage of any dwelling, nor would it be publicly accessible. It would be privately maintained, and the submitted residential curtilage plan clearly identifies the extent of curtilage for each plot, none of which encroaches onto the open space.
- 6.31** The existing vehicular access currently serving the University car park would be retained and would provide pedestrian and vehicular access to all four proposed dwellings. A new replacement vehicular access to the University car park is proposed to the north-west of Farmery Lodge.
- 6.32** All proposed dwellings would be provided with off-road parking for at least two vehicles, with a detached double garage proposed for Plot 2. Each dwelling would also benefit from adequate private amenity space in the form of gardens, along with dedicated refuse and cycle storage areas and appropriately located bin collection points.
- 6.33** The design approach for the new build element is contemporary in form and appearance, whilst incorporating traditional external materials. Plots 2 and 3 would comprise two storey, flat roofed buildings, with brick faced elevations at ground floor level and rendered finishes to the first floors. Both buildings would feature first floor overhangs and full height aluminium windows. A two storey glazed link would separate the accommodation within Plot 3, helping to break up the mass and bulk of the building, whilst also providing additional architectural interest. Internally, the ground floor accommodation would be

largely open plan in layout, with three at first floor level in Plot 2 and four bedrooms in Plot 3, which is the slightly larger of the two dwellings.

6.34 Plots 2 and 3 (new build) would be located within the footprint of the existing Farmery buildings, extending only marginally beyond this footprint to the west, east and south.

6.35 The proposed first floor extension to Farmery Lodge reflects the roof forms of the existing building and would be faced in red brickwork to match the existing building. Although a minimum set back of at least 1 metre from the principal elevation is typically required for first floor side extensions, this is not considered necessary or appropriate in this case. This is due to the extent and form of the existing ground floor accommodation to the side of the main two storey element. The extension would enhance the roadside and public-facing elevation of this retained, period property, adding architectural interest whilst respecting its original character.

6.36 Heritage/Impact on Conservation Area

6.37 As set out in the introduction, the application site is located within The Park Character Area of Cheltenham's Central Conservation Area and Broadlands Lodge is identified as 'a positive building' in The Park Character Appraisal and Management Plan SPD (2008). These buildings make a positive contribution to the character and appearance of the conservation area. There are 3 no. grade II listed buildings located opposite the site and several grade II listed and 'key unlisted' buildings within or adjacent the campus grounds.

6.38 All three existing buildings on site are of some historic interest. Farmery Lodge dates from the late 19th century to early 20th century whilst Broadlands Lodge dates from the early 20th century. Parts of the Farmery may date from as early as the late 19th century.

6.39 The Park is an historically significant planned development, noted for its tear-drop layout, tree-lined streets, and extensive green space, which contribute to its grandeur and spacious character.

6.40 The Character Appraisal provides a summary of the special interest of The Park, which includes: -

b) The pattern and layout of streets, the spaces between buildings, the form of the buildings and use of quality building materials complement each other. They combine together to give the area grandeur, elegance and spaciousness.

c) The extensive green space within the Park itself "makes the single greatest contribution to (establishing) the spacious character of the area;"

d) The well-established tree-lined streets, particularly in and around the Park, greatly enhance the area's character and appearance and the setting of its buildings. The trees create a leafy character for many of the residential streets.

e) The character area contains large numbers of Georgian and early Victorian formally laid out villas and terraces. The villas particularly contribute to the form and the distinct and impressive character of the area.

f) This character area is an area of rich architectural and historic interest. It contains over 100 statutory listed buildings (some of which are grouped under the same listing) and structures...

6.41 The open space within the Park itself is also described as 'a particularly striking feature' and 'provides a highly attractive setting for the University buildings and the surrounding villas'. Public and private spaces, together with views out of, into and within the Park character area are a major component in establishing its character which overall has a

sense of spaciousness. The appraisal also comments that the detached villas at the southern end of the tear drop are set out on an increased radius and distance back from the road when compared to the detached villas and semi-detached villas at the northern end; the building line not being uniform. Whilst there is variety in architectural style, the Park's architectural character is strongly characterised by Georgian and Victorian buildings (including Broadlands Lodge) and generally the newer, modern buildings added are complement historic buildings in terms of their size, scale, form and positioning within plots.

- 6.42** The Conservation officer (CO) has reviewed the application details and Heritage Impact Assessment. Their comments can be read in full in the Consultations section at the end of the report and include a detailed description of The Park's characteristic features and its significance in heritage terms. Matters relating specifically to the demolition of the Farmery and the CO's conclusions on this aspect of the proposals are discussed at paragraphs 6.16-20.
- 6.43** Whilst the CO did not object to the principle of the contemporary design approach, significant concerns were raised in relation to the scale and massing of the two proposed new dwellings, as originally submitted. In particular, their height and overall massing were considered dominant and disruptive to the established roofline and visual hierarchy of the site, rather than complementary and respectful additions. These concerns were exacerbated by the choice of external facing materials. The proposed use of timber and metal cladding, applied in modular fashion, was considered to be at odds with the prevailing palette of brick and stucco/render within The Park. Furthermore, the size and scale of the new dwellings, together with the increased enclosure of the site, were considered to result in harm to the openness of the site and wider conservation area. This would adversely affect views that extend across The Park towards the university grounds beyond.
- 6.44** The CO therefore concluded that the proposals would result in harm to the special character and appearance of the conservation area. This harm was assessed as *less than substantial* but would nevertheless lead to a reduction in the significance of the conservation area.
- 6.45** Following discussions with officers, a revised scheme was submitted which sought to address the concerns outlined. The amendments include the following:
- Reduction in height of the two new-build dwellings from three to two storey dwellings
 - Adjustment to the plot layouts and parking arrangements so that parking does not encroach onto the retained open space
 - Removal of the internal access road/driveway across the open space. Existing rear vehicular access to Broadlands retained.
 - Removal of metal and timber cladding and its replacement with a rendered finish
 - Removal of main residential entrance gates/piers. Installation of estate railings, plus retained hedgerow along roadside boundary
 - Removal of car port to Farmery Lodge and re-positioning of on-plot refuse and cycle storage facilities on all plots
- 6.46** With the exception of the external facing materials proposed for the two new-build dwellings, the CO considered that the revised scheme satisfactorily addressed the concerns previously raised. Given the prevailing use of brick within the surrounding

context, it was advised that a combination of brick and render would be more appropriate and better suited to this sensitive location.

6.47 The proposals were therefore amended again to incorporate a mixed materials palette for the new build dwellings, comprising facing brick to all ground floor elevations and render to the first-floor elevations.

6.48 A further adjustment was also made to the alignment of the new university access to allow construction of the road outside of the Root Protection Areas of retained trees.

6.49 Conclusion

6.50 The latest revised scheme is considered to satisfactorily address the concerns of officers, and, when compared with the pre-application proposals, represents a significant reduction in both the quantum and scale of development and retains the important open space and majority of the trees within the site. Farmery Lodge and Broadlands would be retained and converted back to their original use as dwelling houses, with the proposed alterations to these buildings being limited in scope and sympathetic to the architectural character and historic interest of the buildings.

6.51 The two proposed new dwellings would be constructed on the footprint of the existing Farmery structures and would not exceed two storeys in height. The revised contemporary design and materials palette, together with the layout and the proposed new and retained access arrangements serving all four dwellings, are considered acceptable in heritage terms.

6.52 The trees and land separating Farmery Lodge and Broadlands would be retained as private open space, maintaining views from The Park across the site towards the University grounds beyond. The proposed residential curtilages would not encroach into this open space. A condition has been added to secure the long-term protection of this area, restricting the erection of any structures and preventing its use for car parking, ancillary or recreational purposes associated with the proposed dwellings.

6.53 From a design and layout perspective, the proposed development would not result in harm to the significance of designated heritage assets and is therefore considered to accord with the objectives of Policy D1 of the Cheltenham Plan and policies SD4 and SD8 of the JCS.

6.54 **Impact on neighbouring property**

6.55 It is necessary to consider the potential impact of the proposed development on the amenities of adjacent land users and the future occupiers of the development. Section 12 of the NPPF requires development to create places with a high standard of amenity for existing and future users. Policy SL1 of the Cheltenham Plan advises that development will only be permitted where it will not cause unacceptable harm to the amenity of adjoining land users or the locality. In assessing impact on amenity, the Council will take account of matters including, but not limited to, loss of privacy, light and outlook. The policy is consistent with adopted JCS policy SD14.

6.56 Residential properties are located within the vicinity of the application site, notably the detached houses and apartment buildings on the west side of The Park, opposite the application site. The properties considered to be most impacted by the proposed development are

6.57 The front elevations of the nearest residential properties to the site are approximately 37 and 54 metres from the proposed west elevations of Farmery Lodge and Broadlands, respectively. Given these distances and the fact that Farmery Lodge and Broadlands are existing buildings, there should be no significant harm to the amenities of occupiers of

these neighbouring properties in terms of overlooking and loss of privacy. Furthermore, the proposed new dwellings would be located behind Farmery Lodge and would be partly screened from view.

- 6.58** No objections or concerns have been raised regarding loss of amenity (overlooking/loss of privacy) from neighbouring land users.
- 6.59** In assessing the impact of the development on future occupiers, the separation distance between Farmery Lodge and the front elevations of the two proposed new dwellings is approximately 16.5 and 11.3 metres respectively, measured at a slight angle due to the positioning of the dwellings within the site. The two first floor windows in the east (rear) elevation of Farmery Lodge serve a bedroom and a bathroom. The bedroom window is proposed to be an obscurely glazed opening, and the introduction of two new roof lights would provide additional light and outlook. It reasonable to assume that the bathroom window would also be obscurely glazed.
- 6.60** At ground floor level, the windows serve a kitchen and living room. However, in this instance, it is not considered necessary to secure obscure glazing to these openings. The ground floor windows on the front elevations of Plots 2 and 3 are narrow secondary openings to a home office and a living room, respectively, and there would be intervening boundary treatment and a driveway separating the three plots, further reducing the potential for harmful overlooking or loss of privacy.
- 6.61** Taking all of the above into account, and subject to conditions securing obscure glazed openings as discussed, the proposed development is considered to comply with adopted CP policy SL1 and adopted JCS policy SD1. These policies seek to ensure that development safeguards the amenity of existing and future occupiers and is considered to have been achieved in this instance.

6.62 Access and highway issues

- 6.63** Paragraph 116 of the NPPF states that development should only be refused on highways grounds if there would be an unacceptable impact on highway safety or the residual cumulative impacts on the road network would be severe.
- 6.64** Policy INF1 of the JCS reiterates the stance of the NPPF and advises that all development proposals should provide for safe and efficient access to the highway network for all transport needs.
- 6.65** Each of the proposed dwellings would be provided with a minimum of two off-road parking spaces. Plot 2 would also have a detached double garage within its front curtilage. Access to the four proposed dwellings would be taken from the existing University access from The Park. Broadlands Lodge would continue to use its existing vehicular access which runs along the rear edge of the open space. A new, replacement access from the Park is proposed to serve the University car park.
- 6.66** Commentary on transport matters is set out within the Planning Statement.
- 6.67** Gloucestershire County Council, acting as Local Highway Authority (HA), has reviewed the proposals alongside the submitted transport related information and relevant planning history. The HA raised initial concerns regarding the proposed new university access which did not meet the standards of design/geometry and visibility splay requirements. An updated speed survey and details of the extent of potential hedge removal was also requested. The drawings also did not include a swept path analysis, provision for pedestrian access and refuse bin collection points.
- 6.68** The revised scheme, with accompanying Transport Note, address the above concerns and missing information. No objection is raised by the HA, subject to conditions. These

include a requirement to submit full engineering, constructional and visibility splay details for the proposed site access and a highway construction management plan.

6.69 The impact of the proposed university car park access on trees is discussed elsewhere within this report.

6.70 Sustainability

6.71 The Cheltenham Climate Change SPD (2022), sets out a detailed strategy for decarbonising buildings over the next decade. When considering proposals for alterations and extensions there is an opportunity to improve the environmental performance of a building 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.

6.72 The applicant has provided a Sustainable Construction Checklist which assesses the feasibility of suitable low to zero carbon (LZC) technologies, high-efficiency alternative systems, and other energy saving measures. The measures proposed include the following:

- Fabric led approach to technical design and detailing - in line with current Building Regulations
- Installation of air source heat pumps (ASHPs)
- Low energy lighting and fittings and heat and wastewater recovery systems
- Natural and trickle ventilation systems to all habitable spaces and good levels of cross ventilation
- Significant use of timber, including the framework, partitions, roof structures, stairs and finishes
- Aluminium window systems to prevent heat loss and reduce maintenance
- Permeable hard surfacing and retention of majority of existing green spaces

6.73 The flat roofs of the new build element and pitched roofs of the retained buildings are also suitable to accommodate solar/photovoltaic panels in the future.

6.74 Given the scale of the development proposed, the energy efficient technologies proposed are considered an appropriate response to climate change and sustainability and align with the guidance set out in the SPD. The proposals would also need to meet the latest Part L building regulations standards.

6.75 Ecology, BNG, Environmental Impact and Protected Species

6.76 Policy SD9 of the JCS seeks the protection and enhancement of ecological networks and across the JCS area, improved community access and for new development to contribute positively to biodiversity and geodiversity whilst linking with wider networks of green infrastructure. Similarly, NPPF paragraph 193 seeks through development, the protection and enhancement of valued landscapes and sites of biodiversity value and the need to minimise and provide net gains for biodiversity and coherent and resilient ecological networks. Opportunities to improve biodiversity in and around developments should be integrated into design, especially where this can secure measurable net gains for biodiversity.

- 6.77** The requirements for a 10% biodiversity net gain for all new development (excluding householder development) is now mandatory, unless the applicant considers (and can evidence) that the proposed development would fall under one of the BNG exemption criteria.
- 6.78** The application site is within the Zone of Influence of Cotswold Beechwoods Special Area of Conservation (SAC) and the Impact Risk Zone (IRZ) of Cleeve Common Site of Special Scientific Interest (SSSI). There are no other statutory or non-statutory designated sites within 1 km of the site.
- 6.79** The Council's Ecologist (EO) has reviewed the submitted Ecological reports, including bat surveys. There was no evidence of bat roosting in the existing buildings on site and no potential bat roosting opportunities in trees marked for removal were identified. As such, sensitive lighting, installation of bat boxes and compliance with the mitigation and enhancement recommendations of the Bat Survey report and for other protected species are required to be detailed in a Construction and Ecological Management Plan (CEMP-B).
- 6.80** The site falls within the red zone for Great Crested Newts (GCN) and, in addition to nearby watercourses, contains some suitable terrestrial habitat for amphibians. In order for the LPA to be satisfied that the three derogation tests set out under the Conservation of Habitats and Species Regulations 2017 (as amended) are met, the applicant was therefore required to either carry out GCN surveys of the off-site ponds, or alternatively, the site could be registered under the NatureSpace District Licensing Scheme.
- 6.81** The applicant for the above planning application has now been granted a NatureSpace Certificate for district level licensing for the protection of Great Crested Newts. The use of the council's licence requires mandatory conditions and informatives which can be found within the Certificate (on page 2) that must be used in verbatim on the decision notice. This is in order to comply specifically with conditions in the council's district licence. Therefore, the following conditions have been added to the officers report:

Planning condition: No development hereby permitted shall take place except in accordance with the terms and conditions of the Council's Organisational Licence (WML-OR138, or a 'Further Licence') and with the proposals detailed on plan "Broadlands Lodge: Impact plan for great crested newt District Licensing (Version 1)" dated 12th March 2026.

Reason: In order to ensure that adverse impacts on great crested newts are adequately mitigated and to ensure that site works are delivered in full compliance with the organisational licence (WML-OR138, or a 'Further Licence'), section 15 of the National Planning Policy Framework, Circular 06/2005 and the Natural Environment and Rural Communities Act 2006.

Informative: It is recommended that the NatureSpace Best Practice Principles are taken into account and implemented where possible and appropriate.

Informative: It is essential to note that any works or activities whatsoever undertaken on site (including ground investigations, site preparatory works or ground clearance) prior to receipt of the written authorisation from the planning authority which permits the development to proceed under the District Licence (WML-OR138, or a 'Further Licence') are not licensed under the great crested newt District Licence. Any such works or activities have no legal protection under the great crested newt District Licence and if offences against great crested newt are thereby committed then criminal investigation and prosecution by the police may follow.

Please note : Formal Authorisation for the site to act under the Council's District Licence must be granted after determination.

6.82 Biodiversity Net Gain

- 6.83** The submitted Biodiversity Net Gain (BNG) report notes that the development as proposed will not achieve the necessary 10% net gain for hedgerows or habitat areas. Further habitat enhancement/creation to obtain the 10% net gain was recommended. Should this not be possible an additional 1.1146 off-site habitat units and 0.0266 off-site hedgerow units would need to be purchased to achieve 10% net gain, or statutory credits could be purchased.
- 6.84** In respect of Biodiversity Net Gain (BNG), the applicant has confirmed that the required minimum 10% net gain will be achieved through the purchase of off-site biodiversity units via an approved provider. While on-site provision is limited due to site constraints, the EO considers this approach acceptable in principle, and can be secured via conditions.
- 6.85** The EO has also reviewed the revised layout and landscaping plans, including the Tree officer's recommendation for replacement tree planting within the private garden of Plot 2. No further information is required prior to determination, however the EO has provided the following informative to the applicant.

The BNG metric user guide is clear that newly planted trees sited within private gardens cannot be counted towards a net gain in the metric. Further, habitat creation generally cannot be counted within residential curtilage towards a net gain. As a result, it is highly likely the applicant will need to secure off-site provisions to deliver a net gain, either on land within the applicants ownership or through an off-site provider, the applicant has confirmed they will be using the purchase of offsite units to meet the minimum 10% BNG requirement.

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

- 6.87** As set out in the Cotswold Beechwoods SAC Recreation Mitigation Strategy (May 2022), the application site is within a zone of influence for recreational pressure for the Cotswold Beechwoods SAC, which is afforded protection under the Conservation of Habitats and Species Regulations 2017 (as amended).
- 6.88** 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.
- 6.89** 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.
- 6.90** Natural England (NE) were consulted on the proposals. NE advised that the application could, in combination with other new residential development in the authority area, have potential significant effects on the Cotswold Beechwoods SAC. An appropriate assessment in recognition of the application site's location relative to the SAC should therefore be undertaken.
- 6.91** The Council, as the responsible authority, has undertaken an Appropriate Assessment (under the Habitats Regulations 2017 and concludes that 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. The authority concludes that the adverse effects arising from the proposal are consistent with those detailed in the Cotswolds Beechwoods SAC

Recreation Mitigation Strategy (2022). The proposal complies with this strategy and it can therefore be concluded that there will be no adverse effect on the integrity of the designated site, subject to securing the required mitigation.

6.92 The applicant can therefore either enter into a s106 contribution of £673 per new dwelling to contribute to the measures in the Strategy or propose on or off-site mitigation. Given that there are no opportunities for on-site mitigation the applicant had opted to make the £673 per dwelling contribution through a section 106 agreement. Subject to completion to the agreement, the proposal would not adversely affect the integrity of the Cotswold Beechwoods SAC.

6.93 A draft Unilateral Undertaking has been submitted and, at the time of writing, is being reviewed by the Council's legal team.

6.94 Other considerations

6.95 Trees and Landscaping

6.96 There are a number of trees within the site, the majority of which are located within the open space separating Farmery Lodge from Broadlands Lodge. Trees are also present within the curtilages of the existing buildings and within the vicinity of the proposed university access. The application proposes the retention of the majority of these trees, as well as the existing boundary hedgerows. However, some tree and hedge removal is required to facilitate the (revised) proposed development. This would be limited to an elm of low arboricultural value, two cypress trees exhibiting low vitality and thinning crowns, and a twin stemmed yew tree.

6.97 The Council's Trees Officer (TO) has reviewed the submitted tree and soft landscaping proposals, including the Arboricultural Impact/Method Statement, Arb Watching Brief, their subsequent revisions, and all other tree related documentation. A site meeting was also held with the applicant's Arboricultural consultant to specifically consider the proposed new university access and its impact on the root protection areas (RPAs) of retained trees. The TO's detailed comments on the original and revised proposals are set out in full within the consultations section of this report.

6.98 In summary, and in response to the latest revised documents, the TO has no overriding objections. The revised layout and landscaping plans demonstrate that the proposed new university access road would be located outside of the RPAs of the three retained yew trees (T2), in accordance with BS5837 (2012) standards. These trees form a single canopy and are located north of the proposed new access.

6.99 The yew tree proposed to be removed (T4) has been given a category B grading, and its retention would ordinarily be sought. However, the TO concludes that its amenity value derives largely from its contribution to the wider group of surrounding woody vegetation. Therefore, given its relatively small size, its removal is considered acceptable, provided suitable replacement evergreen tree planting is secured within the private garden of the adjacent proposed dwelling. Details of the replacement planting can be adequately secured by planning condition.

6.100 The revised Arboricultural Watching Brief would ensure that no inadvertent damage occurs to this group of trees, or to the adjacent lime tree (T1), during the construction phase.

6.101 All other previous identified concerns and queries have been satisfactorily addressed, including matters relating to access facilitation pruning, potential tree root severance during construction, removal of the (TPO) Thuja hedge/trees, and the removal of the

previously proposed new access route across the retained open space and RPAs of retained trees.

6.102 Drainage and Flooding

6.103 The application has been assessed in accordance with JCS Policies INF2 and section 14 of the NPPF; paragraph 181 setting out that when determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere and where appropriate, applications should be supported by a site-specific flood-risk assessment.

6.104 The application site is located in Flood Zone 1 (lowest flood risk) and is shown to be at low risk of surface water flooding. The application is accompanied by a Flood Risk Assessment (FRA) and Sustainable Drainage Strategy.

6.105 The Council's Drainage officer has reviewed the application details and no objection is raised, provided that a condition for a sustainable drainage system (SuDS) is attached to mitigate the impact of impermeable surfaces. The suggested condition has been added accordingly.

6.106 Public Sector Equality Duty (PSED)

6.107 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.

6.108 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.

6.109 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 development meets the objectives of the housing policies of the development plan. Policy SD10 of the JCS supports the principle of new residential development on previously developed land in the PUA.

7.3 However, in circumstances where policies which are most important for determining an 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, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination’.

- 7.4** In light of the Council’s shortfall in a 5-year supply of deliverable housing land, officers have therefore assessed the proposals, in accordance with paragraph 11(d). This has involved weighing any potential adverse impacts resulting from the development, against the benefits the scheme may deliver.
- 7.5** In this case, the benefits include the provision of 4 dwellings in a sustainable location, which would contribute positively towards the Council’s current housing supply shortfall. This carries weight in the overall planning balance.
- 7.6** The proposals also deliver other clear benefits. These include the re-use and refurbishment of existing buildings that have been unoccupied for a prolonged period, alongside wider economic or social benefits associated with employment opportunities during the construction phase.
- 7.7** There are no overriding concerns relating to highway safety, neighbour residential amenity, ecology, BNG, trees or flood risk. In addition, the implementation of the proposed energy demand reduction measures should achieve improvements over the minimum standards set out in Part L1 (2021) of the Building Regulations.
- 7.8** The heritage impacts of the proposed development have been assessed very carefully, including the effect on the character and appearance of the conservation area and the setting of nearby listed buildings. Particular attention has been paid to the effects of the proposals on the defining characteristics of The Park Character Area.
- 7.9** Paragraph 212 of the NPPF requires that great weight be given to the conservation of designated heritage assets when assessing the impact of development on their significance. Paragraph 219 encourages local planning authorities to seek opportunities within conservation areas, and within the setting of heritage assets, ‘to enhance or better reveal their significance’. Proposals that preserve those elements of the setting that make a positive contribution, or which better reveal the significance of the asset, should be treated favourably.
- 7.10** As set out in this report, the proposed development is considered to meet these objectives. The works comprise acceptable alterations and additions to the existing buildings, together with new residential development that is considered to preserve the significance of the conservation area as a designated heritage asset.
- 7.11** Farmery Lodge and Broadlands would be retained and converted back to their original use as dwelling houses, with the proposed alterations to these buildings being limited in scope and sympathetic to the architectural character and historic interest of the buildings. The two proposed new dwellings would be constructed on the footprint of the existing Farmery structures and would not exceed two storeys in height. The revised contemporary design and materials palette, together with the layout and the proposed new and retained access arrangements serving all four dwellings, are considered acceptable in heritage terms. Similarly, the proposed new vehicular access serving the University is acceptable, subject to the approval of its detailed design.
- 7.12** Furthermore, the trees and land separating Farmery Lodge and Broadlands would be retained as private open space, maintaining views from The Park across the site towards the University grounds beyond. The proposed residential curtilages would not encroach into this open space. A condition has been added to secure the long-term protection of this area, restricting the erection of any structures and preventing its use for car parking, ancillary or recreational purposes associated with the proposed dwellings.

- 7.13** In accordance with paragraph 11(d) (i) and (ii) of the NPPF and having assessed the policies that protect assets of particular importance, no strong or defensible reasons have been identified to refuse the application. It is not considered that the proposals would give rise to any adverse impacts that would significantly and demonstrably outweigh the benefits, when assessed against the policies of the Framework taken as a whole.
- 7.14** The recommendation is therefore to grant planning permission, subject to the conditions set out below and the completion of the s106/Unilateral Undertaking in relation to the Beechwoods SAC.
- 7.15** The applicant's agreement to the pre-commencement conditions would be sought prior to issuing the planning permission.

8. CONDITIONS / INFORMATIVES

- 1 The planning permission hereby granted shall be begun not later than the expiration of three years from the date of this decision.

Reason: To accord with the provisions of Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 The planning permission hereby granted shall be carried out in accordance with the approved plans listed in Schedule 1 of this decision notice.

Reason: For the avoidance of doubt and in the interests of proper planning.

- 3 Prior to the commencement of development a Construction Traffic Environmental Management Plan (CTEMP) shall be submitted to and approved in writing by the Local Planning Authority. The approved CTEMP shall be adhered to throughout the site preparation, demolition and construction periods unless the Local Planning Authority gives prior written permission for any variation. The plan shall include but shall not be restricted to:

- Parking of vehicles of site operatives and visitors (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction);
- Advisory routes for construction traffic.
- Types, size and numbers of construction related vehicles anticipated daily including arrangements to receive abnormal loads or unusually large vehicles.
- Any temporary access into the site.
- Locations for loading/unloading and storage of plant, waste and construction materials.
- Method of preventing mud and dust being carried onto the highway.
- Measures for the control of noise, dust and other air borne pollutants during works of demolition and construction.
- Wheel washing facilities.
- Arrangements for turning vehicles.
- Measures for the control of site lighting (required for safe working or for security purposes);
- Methods to control the risk of flooding during construction
- Arrangements to receive abnormal loads or unusually large vehicles; and
- Methods of communicating the CTEMP to staff, visitors and neighbouring residents and businesses.

No construction works and/or ancillary operations which are audible at the site boundary shall be carried out on site outside the following hours:

Monday to Friday - 8am to 6pm
Saturday - 8am to 1pm

There shall be no working on Sundays or Public or Bank Holidays. Deliveries to, and removal of plant, equipment, machinery and waste from, the site shall only take place within the permitted hours detailed above.

Reason: In the interests of highway safety and to safeguard the amenity of occupiers of neighbouring properties, having regard to adopted policies INF1 and SD14 of the Joint Core Strategy (2017) and adopted policy SL1 of the Cheltenham Plan (2020). Approval is required upfront because without proper mitigation the works could have an unacceptable highway and amenity impact during construction.

- 4 Prior to the commencement of development, the following information shall be submitted to and approved in writing by the Local Planning Authority:

(a) a full site survey showing:

- i) the datum used to calibrate the site levels.
- ii) levels along all site boundaries at regular intervals.
- iii) levels across the site at regular intervals.
- iv) finished floor levels or other datum of adjacent buildings; and
- v) cross section drawings clearly showing existing ground levels in relationship with the finished floor and eaves levels of adjacent buildings

(b) full details showing:

- i) the proposed finished floor level of all buildings and ground levels including hard surfaces; and
- ii) cross section drawings showing the proposed finished floor and eaves levels of all buildings and ground levels including hard surfaces.

The development shall thereafter be implemented strictly in accordance with the agreed details.

Reason: To ensure a satisfactory relationship between the proposed development and adjacent buildings and land, having regard to adopted policies D1 and SL1 of the Cheltenham Plan (2020) and adopted policies SD4 and SD14 of the Joint Core Strategy (2017). Approval is required upfront to allow the impact of the development to be accurately assessed.

- 5 Prior to the commencement of development, a surface water drainage scheme, which shall incorporate Sustainable Drainage System (SUDS) principles and appropriate flood risk management, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include a programme for implementation of the works, and proposals for maintenance and management. The development shall not be carried out unless in accordance with the approved surface water drainage scheme.

Reason: To ensure flood risk management and sustainable drainage of the development, having regard to adopted policy INF2 of the Joint Core Strategy (2017). Approval is required upfront because the design of the drainage is an integral part of the development and its acceptability.

- 6 Prior to the commencement of development, full details for the treatment, routing and disposal of foul water (including pollution control and monitoring measures) for the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out strictly in accordance with the approved details.

Reason: To ensure adequate foul drainage infrastructure is provided, having regard to adopted policy INF2 of the Joint Core Strategy (2017). Approval is required upfront because the design of the drainage is an integral part of the development and its acceptability.

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

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

- 8 No dwelling shall be occupied until:
(i) the carriageway(s) providing access from the public highway to that dwelling has been completed to at least binder course level and the footway(s) to surface course level and in accordance with the approved plans; and
(ii) the car/vehicle parking area, visitor parking, turning space and bin collection point associated with that dwelling (including garages and car ports where proposed) have been completed in accordance with the approved plans.

The access, parking (including garages), bin collection points and turning areas shall thereafter be kept free of obstruction and available for the access, parking, turning of vehicles and bin collection associated with the development.

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

- 9 Prior to commencement, full engineering and constructional details of the proposed site access, shown indicatively on approved drawing 1450.02B, shall be submitted to and approved in writing by the local planning authority. No new dwelling hereby approved shall be occupied until the access works have been completed in accordance with the approved details.

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

- 10 Prior to first occupation of the development, secure covered cycle storage shall be provided on site in accordance with details which shall have first been submitted to and approved in writing by the Local Planning Authority. The cycle storage shall thereafter be retained available for such use in accordance with the approved details at all times.

Reason: To ensure the adequate provision and availability of cycle parking, so as to ensure that opportunities for sustainable transport modes have been taken up, having regard adopted policy INF1 of the Joint Core Strategy (2017).

- 11 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and/or re-enacting that order with or without modification), no gates or other means of enclosure shall be erected across the approved accesses unless otherwise first agreed in writing by the Local Planning Authority.

Reason: To ensure that the highway is not obstructed in the interests of highway safety, having regard to adopted policy INF1 of the Joint Core Strategy (2017).

- 12 The development shall be carried out in strict accordance with the recommendations contained within Preliminary Ecological Appraisal Report (Smart Ecology, 2025). All the recommendations shall be implemented in full according to the timescales specified in the report and thereafter permanently maintained for the stated purposes of biodiversity conservation.

Reason: To ensure that species and habitats are protected in accordance with adopted Policy SD9 of the Joint Core Strategy (2017), the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife and Countryside Act 1981 (as amended), Circular 06/2005, paragraphs 187, 192 and 193 of the National Planning Policy Framework, and in order for the Council to comply with Section 40 of the Natural Environment and Rural Communities Act 2006 as amended by the Environment Act 2021.

- 13 A Landscape and Ecological Management Plan (LEMP) covering a ten year period shall be submitted to and approved in writing by the Local Planning Authority prior to any above ground works of the development hereby permitted. The plan shall include, but not necessarily limited to, the following information:

- I. Description and evaluation of features to be managed, including locations shown on a site map;
- II. Establishment details, including preparation of the land;
- III. Landscape and ecological trends and constraints on site that might influence management;
- IV. Aims and objectives of management, including ensuring the delivery of at least a 10% net gain in habitat units;
- V. Appropriate management options for achieving the aims and objectives;
- VI. Prescriptions for all management actions;
- VII. A work schedule matrix (i.e. an annual work plan) capable of being rolled forward over 5 or 10 year periods;
- VIII. Details of the body or organisation responsible for the implementation of the plan;
- IX. Ongoing monitoring of delivery of the habitat enhancement and creation details to achieve net gain as well as details of remedial measures that may need to be put in place; and
- X. Timeframe for reviewing the plan.

The LEMP shall be implemented in accordance with the approved details and all habitats shall be retained in that manner thereafter.

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

inserted by Schedule 14 of the Environment Act 2021), paragraphs 187, 192 and 193 of the National Planning Policy Framework

- 14 The Biodiversity Gain Plan shall be prepared in accordance with the Biodiversity Net Gain Design Stage Report dated February 2026 and prepared by All Ecology.

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

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

- 15 Notwithstanding the submitted details, before above ground works commence a scheme for biodiversity enhancements in line with the recommendations in section 5.3.2 table 5-2 of the Preliminary Ecological Appraisal Report dated October 2025 by Smart Ecology, shall be submitted to and approved in writing with the Local Planning Authority. The approved details thereafter shall be implemented, retained and maintained for their designed purpose in accordance with the approved scheme. The scheme shall include, but not limited to, the following details:

- i. Description, design or specification of the type of feature(s) or measure(s) to be undertaken;
- ii. Materials and construction to ensure long lifespan of the feature/measure
- iii. A drawing(s) showing the location and where appropriate the elevation of the features or measures to be installed or undertaken.
- iv. When the features or measures will be installed within the construction, occupation, or phase of the development.

Reason: To provide additional opportunities for species as a biodiversity enhancement, in accordance with the objectives of Policy SD9 of the Joint Core Strategy (2017), paragraphs 187, 192 and 193 of the National Planning Policy Framework (Chapter 15), and Section 40 of the Natural Environment and Rural Communities Act 2006 as amended by the Environment Act 2021.

- 16 Prior to occupation of the development hereby approved, the applicant shall submit evidence that:-

- ecological enhancements such as the bird, bat and hedgehog boxes, or bee/bug bricks have been installed as outlined in the applicant's Ecological Mitigation and Enhancement Strategy (EMES), to the local planning authority in order that the LPA may verify that the agreed ecological enhancement/mitigation measures proposed are in place when the development is complete. Evidence can be submitted as photographs.

Reason: To provide additional opportunities for species as a biodiversity enhancement, in accordance with the objectives of Policy INF9 of the Joint Core Strategy (2017), paragraphs 187, 192 and 193 of the National Planning Policy Framework (Chapter 15), and Section 40 of the Natural Environment and Rural Communities Act 2006 as amended by the Environment Act 2021.

- 17 No development hereby permitted shall take place except in accordance with the terms and conditions of the Council's Organisational Licence (WML-OR138, or a 'Further

Licence') and with the proposals detailed on plan "Broadlands Lodge: Impact plan for great crested newt District Licensing (Version 1)" dated 12th March 2026.

Reason: In order to ensure that adverse impacts on great crested newts are adequately mitigated and to ensure that site works are delivered in full compliance with the organisational licence (WML-OR138, or a 'Further Licence'), section 15 of the National Planning Policy Framework, Circular 06/2005 and the Natural Environment and Rural Communities Act 2006.

- 18 Prior to the implementation of any landscaping, full details of a hard and/or soft landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be produced in accordance with the Biodiversity Gain Plan and identify all trees, hedgerows and other planting which are to be retained, and a planting specification to include [species, size, position and method of planting of all new trees and shrubs]; and a programme of implementation.

All hard and/or soft landscaping works shall be carried out in accordance with the approved details prior to first occupation of any part of the development unless otherwise agreed in writing by the Local Planning Authority.

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

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

- 19 Prior to the implementation of any hard surfaces within the site, including driveways, parking and turning areas, footways and patios, details shall be submitted to and approved in writing by the Local Planning Authority. All new hard surfacing areas shall be permeable or drain to a permeable area and shall be carried out in accordance with the approved details prior to first occupation of any part of the development.

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

- 20 Prior to the implementation of any new boundary treatments, including boundary walls, fences or other means of enclosure, details shall be submitted to and approved in writing by the Local Planning Authority. The boundary treatments shall thereafter be implemented in accordance with the approved details prior to first occupation of the development hereby permitted.

Reason: In the interests of the character and appearance of the area and residential amenity, having regard to adopted policies D1 and SL1 of the Cheltenham Plan (2020) and adopted policies SD4 and SD14 of the Joint Core Strategy (2017).

- 21 No external facing or roofing materials shall be applied unless in accordance with:
a) a written specification of the materials; and/or
b) physical sample(s) of the materials.
The details of which shall have first been submitted to and approved in writing by the Local Planning Authority.

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

- 22 Notwithstanding the submitted details, the following elements of the scheme shall not be installed, implemented or carried out unless in accordance with details which shall have been submitted to and approved in writing by the Local Planning Authority:

1. External doors and windows (including design elevation drawings, materials, finish, sills, heads and reveals, glazing specification and opening mechanism)
2. Garage doors
3. Refuse/recycling stores (inc. location and elevation/floor plan details)
4. Porch canopy details
5. External lighting (including security lighting and sensitive lighting design for protected ecological species)
6. Internal access road gate to Plots 2 and 3

Reason: To preserve or enhance the character or appearance of the area, having regard to adopted policy D1 of the Cheltenham Plan (2020), adopted policies SD4 and SD8 of the Joint Core Strategy (2017).

- 23 The development shall be carried out in accordance with the proposed measures set out in the Sustainable Construction Checklist received on 14th October 2025.

Reason: In the interests of reducing carbon emissions, having regard to adopted policies adopted policy SD3 of the Joint Core Strategy (2017) and guidance set out in Cheltenham Climate Change SPD (2022).

- 24 Notwithstanding the submitted details, the Air Source Heat Pumps (ASHPs) shall be installed in accordance with Schedule 2, Part 14, Class G of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), unless in accordance with details which shall have first been submitted to and approved in writing by the local planning authority. The details shall include acoustic information relating to the operation of the ASHP(s) and should relate to the closest noise receptors, in line with MCS020 assessment. An ASHP(s) shall be installed prior to first occupation of each dwelling hereby approved and in accordance with details approved. The ASHPs shall be retained as such thereafter unless otherwise first agreed in writing by the Local Planning Authority.

Reason: To safeguard the amenities of future occupiers and neighbouring properties and to reduce carbon emissions, having regard to adopted policies D1 and SL1 of the Cheltenham Plan (2020), adopted policies SD3, SD4 and SD14 of the Joint Core Strategy (2017) and guidance set out in Cheltenham Climate Change SPD.

- 25 No dwelling hereby permitted shall be connected to mains gas supplies for the purposes of domestic hot water or space heating.

Reason: To ensure that the development contributes towards the mitigation of Climate Change, having regard to Strategic Objective 6, policies SD3 and INF5 of the Joint Core Strategy (2017) and the guidance set out in Cheltenham Climate SPD (adopted 2022).

- 26 The development shall be carried out in strict accordance with the (revised) Arb Watching Brief and (revised) Arboricultural Reports prepared by Daniel Mogridge, dated Tuesday 20th January 2026 and received on 10th April 2026. Tree protective measures shall be installed prior to the commencement of development and in accordance with

the details outlined in the Arboricultural Reports, as updated by approved Tree Protection Plan (DMC-25/3 TPP Rev E 10/04/2026) and shall remain in place until the completion of the construction process.

All access roads, paths, parking areas and other forms of hard landscaping that fall within the tree Root Protection Area(s) of retained trees and shrubs shall be constructed using a no-dig method.

All service runs shall fall outside the tree Root Protection Area(s) shown on the approved drawings, unless otherwise first agreed in writing by the Local Planning Authority. Any such works shall be carried out in accordance with the National Joint Utilities Group; Volume 4 (2007) (or any standard that reproduces or replaces this standard).

Reason: To safeguard the existing tree(s) in the interests of visual amenity, having regard to adopted policies GI2 and GI3 of the Cheltenham Plan (2020). Approval is required upfront to ensure that important trees are not permanently damaged or lost.

- 27 All trees and planting within the site shall be retained unless shown on the approved drawings as being removed. Any trees or planting indicated on the approved drawings which, within a period of five years from the date of planting, die, are removed or become seriously damaged, diseased or dying shall be replaced during the next planting season (October to March inclusive) with other trees or plants of a location, species and size to be first approved in writing by the Local Planning Authority. Any pruning works within the five year period shall be carried out in accordance with BS 3998:2010 (or any standard that reproduces or replaces this standard).

Reason: In the interests of visual amenity, having regard to Policies GI1 and GI2 of the Cheltenham Plan (2020).

- 28 Following the removal of the trees as permitted by this decision, the trees shall be replaced in accordance with replacement tree planting details which shall be submitted to and approved in writing by the Local Planning Authority. The replacement trees shall be planted during the planting season current at the time of felling (end October - end March) or during the next immediately available planting season. The size of the trees shall be at least a Selected Standard as per BS 3936-1:1992 (or any standard that reproduces or replaces this standard). The trees shall be maintained for 10 years after planting and should they be removed, die, be severely damaged or become seriously diseased within this period they shall be replaced with another tree as originally required to be planted by this condition.

Reason: In the interests of visual amenity, having regard to adopted policy GI2 of the Cheltenham Plan (2020).

- 29 Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and/or re-enacting that order with or without modification), no extensions, garages, sheds, outbuildings, walls, fences or other built structures of any kind (other than those forming part of the development hereby permitted) shall be erected without express planning permission.

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

- 30 Prior to first occupation of the development, refuse and recycling storage facilities shall be provided in accordance with the approved plans and shall be retained as such thereafter.

Reason: In the interests of sustainable waste management and recycling, having regard to Policy W36 of the Gloucestershire Waste Local Plan.

- 31 The areas of the site shown as open space and falling outside the residential curtilages of the dwellings hereby approved, as identified on approved drawing Nos 1450.02E and 1450.03, shall be permanently retained as open space. These areas shall not be used for any purposes ancillary to the four approved dwellings, including (but not limited to) vehicular or cycle parking, refuse storage or private recreation/amenity use.

At no time shall any buildings, structures, enclosures, garden furniture or play equipment be erected or placed on the open space areas.

Reason: In the interests of the character and appearance of the conservation area, having regard to adopted policy D1 of the Cheltenham Plan (2020) and adopted policies SD4 and SD8 of the Joint Core Strategy (2017).

- 32 Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and/or re-enacting that order), the first floor rear (east) elevation windows of Plot 1 (Farmery Lodge) shall at all times be glazed with obscure glass to at least Pilkington Level 3 (or equivalent).

Reason: To safeguard the amenities of adjacent properties, having regard to adopted policy SL1 of the Cheltenham Plan (2020) and adopted policy SD14 of the Joint Core Strategy (2017).

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, the authority sought revisions to the design, scale and layout of the proposed development, in the interests of the character and appearance of the conservation area and to protect trees.

Following these negotiations, the application now constitutes sustainable development and has therefore been approved in a timely manner.

- 2 Works on the Public Highway

The development hereby approved includes the carrying out of work on the adopted highway. You are advised that before undertaking work on the adopted highway you must enter into a highway agreement under Section 278 of the Highways Act 1980 with

the County Council, which would specify the works and the terms and condition under which they are to be carried out.

Contact the Highway Authority's Legal Agreements Development Management Team at highwaylegalagreements@gloucestershire.gov.uk allowing sufficient time for the preparation and signing of the Agreement. You will be required to pay fees to cover the Councils costs in undertaking the following actions:

- o Drafting the Agreement
- o A Monitoring Fee
- o Approving the highway details
- o Inspecting the highway works

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

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

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition "(the biodiversity gain condition)" that development may not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan in writing.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. Based on the information available this permission is considered to be one which will require the approval of a biodiversity gain plan before development is begun because none of the statutory exemptions or transitional arrangements are considered to apply. If the onsite habitats include irreplaceable habitats (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitats) Regulations 2024) there are additional requirements for the content and approval of Biodiversity Gain Plans. Advice about how to prepare a Biodiversity Gain Plan and a template can be found at <https://www.gov.uk/guidance/submit-a-biodiversity-gain-plan>.

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

- 4 It is recommended that the NatureSpace Best Practice Principles are taken into account and implemented where possible and appropriate.
- 5 It is essential to note that any works or activities whatsoever undertaken on site (including ground investigations, site preparatory works or ground clearance) prior to receipt of the written authorisation from the planning authority which permits the development to proceed under the District Licence (WML-OR138, or a 'Further Licence') are not licensed under the great crested newt District Licence. Any such

works or activities have no legal protection under the great crested newt District Licence and if offences against great crested newt are thereby committed then criminal investigation and prosecution by the police may follow.

Consultations Appendix

Natural England

24th March 2026 - Response in documents.

Newt Officer

1st April 2026 -

The applicant for the above planning application has now been sent their NatureSpace Certificate which they have submitted to yourself. Should you be minded to approve planning for the above application there are mandatory conditions and informatives within the Certificate (on page 2) that must be used in verbatim on the decision notice. This is in order to comply specifically with conditions in the council's district licence.

For reference the District Licence conditions and informatives for this application are:

Planning condition: No development hereby permitted shall take place except in accordance with the terms and conditions of the Council's Organisational Licence (WML-OR138, or a 'Further Licence') and with the proposals detailed on plan "Broadlands Lodge: Impact plan for great crested newt District Licensing (Version 1)" dated 12th March 2026.

Reason: In order to ensure that adverse impacts on great crested newts are adequately mitigated and to ensure that site works are delivered in full compliance with the organisational licence (WML-OR138, or a 'Further Licence'), section 15 of the National Planning Policy Framework, Circular 06/2005 and the Natural Environment and Rural Communities Act 2006.

Informative: It is recommended that the NatureSpace Best Practice Principles are taken into account and implemented where possible and appropriate.

Informative: It is essential to note that any works or activities whatsoever undertaken on site (including ground investigations, site preparatory works or ground clearance) prior to receipt of the written authorisation from the planning authority which permits the development to proceed under the District Licence (WML-OR138, or a 'Further Licence') are not licensed under the great crested newt District Licence. Any such works or activities have no legal protection under the great crested newt District Licence and if offences against great crested newt are thereby committed then criminal investigation and prosecution by the police may follow.

Formal Authorisation for the site to act under the Council's District Licence can then be issued shortly after determination.

Tree Officer 1

27th October 2025 -

Please could the following be submitted so a full assessment of this planning application can be made:

- 1) Description of access road type to Broadlands. This should include a detailed method statement of the removal of any surfaces as well as the construction method of the new surface,
- 2) Tree retention and removals plan,
- 3) Access facilitation and any other tree and hedge pruning plan,
- 4) Underground and overground service runs,
- 5) Site materials storage area,
- 6) Details of any arb monitoring proposals.

Tree Officer 2

13th November 2025 –

The CBC Tree Section objects to the removal of the Thuja hedge as detailed in para 2.1.5 of the AIA. This "hedge" is composed of 3 TPO protected Thuja trees.

There is no objection to other tree or hedge removals documented in the Arb Report of 31/10/2025.

There appears to be no access facilitation pruning required to any of the TPO protected trees.

Existing underground services should be able to be utilised. Any changes to this must first gain prior approval and on no account should any service runs go through the Root Protection Areas of retained trees.

CBC Tree Section considers that the existing access road to Broadlands could still be utilised and it is unclear why such a new road (through the Root Protection Area) of several TPO protected trees is suggested. Similarly, the new access road to the College will require the removal of several existing trees which are of reasonable quality. CBC considers their classification by the applicant's arboriculturist as "C" grade trees (as per BS5837), is harsh- CBC considers them "B" grade. They have been marked as having a smaller dimension than the recorded in the arb report. Similarly, T1 -the large lime tree adjacent to the proposed new entrance would have an apparent 14% of its root protection area dug into for the new proposed access.

It would be much preferable if the existing roads and access drives were utilised.

It is assumed that the existing hard standing area as marked on the Tree Protection Plan will be sufficient for the build. On no account should any materials be stored within any root protection area.

The trees to be planted as detailed within the landscape plan 11/8/25 are too large. At best they will take several years to establish and grow. It would take many years aftercare to achieve this, otherwise the trees will lose vitality and decline. It would be better if all trees were no larger than Selected Standard size (10-12) and all be container grown. Money saved on reduced size trees could be spent on increased aftercare and maintenance. Please could this detail be adjusted and also for tree pit details be submitted as a condition attached to any planning permission.

There is a proposed new Liquidambar tree to be planted immediately under the crown of a large sycamore tree T33. This tree will not grow in such an environment and as such should be moved several meters south east to the location of T35 (which is to be removed).

No arb monitoring proposals have been described (as requested 27/10/25). Arb monitoring should take place during the construction of the new access road as well as off the public road adjacent to large lime tree T1 of the tree survey. Please could details be supplied (to include attendance at the pre-commencement site visit with CBC Trees Officers

As per para 3.3, please could a pre-commencement site visit be conditioned as a part of any planning permission to be issued.

Tree Officer 3

17th March 2026 –

The Arb Watching Brief specifies photos submitted to CBC as a substitute for the attendance of a Trees Officer. On such a locally sensitive site, a site meeting with a TO should be mandated. The Arb Watching Brief should also specify when the retained arborist is to supervise works.

On none of the arborist's drawings are trees to be removed clearly shown. This is an unconventional omission that should be rectified.

The Trees Section remains opposed to the installation of a new access that would remove fair trees when an existing access already exists.

Tree Officer 4

9th April 2026-

Following a site meeting with R Deacon and his arboriculturist Dan Mogridge 9.4.26, the following was discussed:

T2 is in fact 3 yew trees forming one larger crown. The largest tree is the closest to the proposed new University access road. RD and DM agreed to see if the proposed new route into the University car park could be incorporated (in line with BS5837 (2012)).

CC agreed that the proposed removal of T3 (elm, not alder as per the report), T4 (twin stemmed yew), T5 + 6 cypress (of low vitality and thinning crowns), was acceptable. However, it was recognised that this would reduce some visual amenity and as such RD said that this could be reflected in new tree planting within the proposed new adjacent domestic garden. CC recommended evergreen trees so as to help screen the road from the dwelling all year round.

DM to undertake calculations asap with a view to submitting in time for Planning Committee. A bespoke plan showing tree retention, removal, RPAs and access road development proposals for this area should be submitted.

CC said that should this be found to be acceptable, then detailed Access Facilitation Pruning plan should also be agreed. Such AFP could be detailed on this plan. Similarly, it would be anticipated that this delicate stage creation of a new University access road should fall within the Arb Watching Brief.

CC also suggested that parts of the Arb Method Statement should be adjusted:

3.2.1 -It is imperative that no vehicular activity can take place within the RPA of retained trees. The RPA is a permanent total exclusion zone with no access unless agreed by this Council (via the project arboriculturist).

3.2.10 All access Facilitation Pruning should be agreed with this Council prior to the start of works. Similarly, there should be no other pruning of other retained tree unless there is prior agreement with this Council

3.2.12 -should be re-phrased so as to provide more concise information.

3.2.13 No roots within RPAs should be severed unless there is prior agreement with this Council.

Tree Officer 5

13th April 2026 –

Documents and drawings received 10.4.25 demonstrate that the new access road is outside of the root protection area (as per BS5837 (2012)) of the trio of yew trees (forming one canopy) to the north of the proposed new university entrance. These trees have been named T2a, b, & c within the newly adjusted arb report. Similarly, no access facilitation of these trees is deemed necessary. A watching brief by a suitably experienced and qualified has been submitted. This should help ensure that no inadvertent and harmful damage is done to this group of small-medium sized trees and that due protection to the large lime(T1) is afforded during this part of any permitted construction process.

Similarly, the arb report also now states that no retained roots can be severed at this without prior approval of this Council.

The trees to be removed are T2-self sown elm of low value, Ts 5+6 are 12-13 metre high cypress trees. These trees have a low vitality and thinning crown and are not likely to recover and revert to fine trees.

T4 is a twin stemmed 6 metre yew tree. It has a B grading (as per BS5837) and as such would therefore normally be retained in the development process. However, in this instance, it is considered that it's primary amenity is of a collective value (taking other woody vegetation into account) and, given it's relative small size, could be removed if suitably mitigated for in proposed new evergreen tree planting adjacent. As agreed on site, this planting could be undertaken in the garden of the adjacent plot which will reduced traffic noise, foster a sense of privacy and return soft landscaping amenity. Details of such new planting to mitigate for the loses of Ts 3,4,5+ 6 have not been submitted.

Ecologist 1

7th January 2026 –

I have reviewed the Ecological reports and my response with regards to Ecology is provided below.

New residential development within the zone of influence of the Cotswold Beechwoods SAC could lead to increased recreational pressure. Therefore, a financial contribution should be made to the local planning authority to offset the impact of the development as outlined at https://www.cheltenham.gov.uk/info/52/conservation/1810/cotswold_beechwoods_sac Bat emergence surveys of buildings to be either redeveloped to residential use - Broadlands Lodge, Farmery Lodge or demolished - The Farmery, confirmed that no bats were roosting, however foraging bats were noted on the Site and thus bat sensitive lighting is recommended on site along with installation of bat boxes to retained buildings (Broadlands Lodge and the Farmery Lodge). Mitigation and enhancement recommendations are outlined in section 5.1 of the Bat Survey Report by Smart Ecology and to be detailed in a Construction and Ecological Management Plan (CEMP-B).

No potential bat roost features were identified in the trees that are proposed to be felled (ET02, ET03, ET04, ET05, ET06 in the arboricultural report). As other on-site trees could potentially be used by roosting bats, should it become necessary to fell any additional trees then these should be inspected for bat roost potential/evidence by a bat licensed ecologist and the findings and mitigation recommendations submitted to the LPA for review prior to works.

The site was identified to fall in a red zone for GCN and to contain some suitable terrestrial habitat for amphibians and nearby waterbodies off site were also identified. Therefore, either GCN surveys of the offsite ponds were recommended to confirm presence/absence of GCN, or instead of further GCN surveys, the site could be registered under the NatureSpace District Licence scheme. The approach needs to be clarified.

The site provided a small area of suitable habitat for reptiles, particularly slow-worm. The site also provided suitable habitat for badgers, hedgehogs and nesting birds. Mitigation for these species is recommended in the Preliminary Ecological Appraisal, which needs to be elaborated on in the form of Construction Ecological Management Plan, that should also detail mitigation for amphibians.

The Biodiversity Net Gain (BNG) report notes that the development as proposed will not achieve the necessary 10% net gain for hedgerows or habitat areas. Further efforts could be made on site through habitat enhancement/creation to try and obtain the 10% net gain, which would be the favoured approach. Should this not be possible then the BNG report estimates that an additional 1.1146 off-site habitat units and 0.0266 off-site hedgerow units would need to be purchased to achieve 10% net gain, or statutory credits could be purchased as a last resort. The approach to be taken to achieve the 10% net gain needs clarification.

National Planning Policy Framework (NPPF) and Local Plan Policy (Gloucester, Cheltenham and Tewkesbury Joint Core Strategy 2011 - 2031) (adopted December 2017)) Context:
• NPPF Para 187 - 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>

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

Requirements prior to determination:

1. Habitat Suitability Index Assessment of nearby ponds (not separated from site by major dispersal barriers) and GCN surveys of any that are suitable for GCN (either eDNA or presence/absence GCN surveys). The survey results and updated GCN mitigation should be submitted to the LPA prior to determination. Alternatively, the site could be registered under the District Licence scheme and evidence of such (i.e. District Level Licence Report from NatureSpace) should be provided to the LPA prior to determination.

2. Clarification as to how the development is to achieve the 10% net gain is required, either through revising the landscape plan to allow for additional habitat enhancement/creation on site (which would be the favoured route) or through purchasing offsite credits or as last resort purchasing statutory credits.

Informatives:

1. Biodiversity Net Gain

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

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition "(the biodiversity gain condition)" that development may not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan in writing.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission would be Cheltenham Borough Council. There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. Based on the information available this permission is considered to be one which will require the approval of a biodiversity gain plan before development is begun because none of the statutory exemptions or transitional arrangements are considered to apply. If the onsite habitats include irreplaceable habitats (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitats) Regulations 2024) there are additional requirements for the content and approval of Biodiversity Gain Plans.

Advice about how to prepare a Biodiversity Gain Plan and a template can be found at <https://www.gov.uk/guidance/submit-a-biodiversity-gain-plan>.

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

2. Wildlife Protection

The applicant is advised that planning permission does not override the statutory protection afforded to plants and animals protected under the terms of the Wildlife and Countryside Act 1981 (as amended). If a protected species (such as any bat, great crested newt, dormouse, badger, reptile, barn owl or any nesting bird) is discovered using a feature on site that would be affected by the development or related works all activity which might affect the species at the locality should cease. If the discovery can be dealt with satisfactorily by the implementation of biodiversity mitigation measures that have already been drawn up by your ecological advisor and approved by the Local Planning Authority then these should be implemented. Otherwise a suitably experienced ecologist should be contacted and the situation assessed before works can proceed. This action is necessary to avoid possible prosecution and ensure compliance with the Wildlife & Countryside Act 1981 (as amended), the Conservation of Habitats and Species Regulations 2017 (as amended), the Protection of Badgers Act 1992 and the Wild Mammals Act 1996. This advice note should be passed on to any persons or contractors carrying out the development/works.

Bats

Please note that this consent does not override the statutory protection afforded to bats and nesting birds. All British bat species are protected under The Conservation of Habitats and Species Regulations 2017 (as amended) and the Wildlife and Countryside Act 1981 (as amended). This protection extends to individuals of the species and their roost features, whether occupied or not. A derogation licence from Natural England would be required before any works affecting bats or their roosts are carried out. If a bat or evidence of bats using a feature on site is discovered prior to or during development all work must stop immediately. A licensed bat consultant or Natural England must be contacted and works implemented only in accordance with methods advised by them. This advice note must be provided to any persons/contractors carrying out the development along with the contact details of a relevant ecological consultant. This action is necessary to avoid possible prosecution and ensure compliance with the Wildlife & Countryside Act 1981 (as amended), The Conservation of Habitats and Species Regulations 2017 (as amended). This advice note should be passed on to any persons/contractors carrying out the development.

Birds

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

General Wildlife Advice

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

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

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

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

1. Cotswold Beechwoods SAC Mitigation Strategy

New residential development within the zone of influence of the Cotswold Beechwoods SAC could lead to increased recreational pressure. Therefore, a financial contribution should be made to the local planning authority to offset the impact of the development as outlined at https://www.cheltenham.gov.uk/info/52/conservation/1810/cotswold_beechwoods_sac

2. Construction Ecological Management Plan - Biodiversity (CEMP-B)

No development shall take place (including demolition, ground works and vegetation clearance) until a Construction Environmental Management Plan - Biodiversity (CEMP-B) has been submitted to and approved in writing by the local planning authority. The CEMP should be kept in the site office for reference for site workers. The CEMP-B shall be based on the recommendations in Section 5.1 of the Preliminary Ecological Appraisal by Smart Ecology and include, but not necessarily be limited to, the following:

- i. Risk assessment of potentially damaging construction activities;
- ii. Identification of 'biodiversity protection zones';
- iii. Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements);
- iv. A precautionary working method statement for retained trees and the following species: bats, amphibians, reptiles, nesting birds, badgers and hedgehogs;
- v. The location and timing of sensitive works to avoid harm to biodiversity features (e.g. daylight working hours only starting one hour after sunrise and ceasing one hour before sunset);
- vi. Details of any external lighting required during construction phase;
- vii. The times during construction when specialists ecologists need
- viii. The times during construction when specialists ecologists need to be present on site to oversee works;
- ix. Responsible persons and lines of communication;
- x. The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person(s);
- xi. Use of protective fences, exclusion barriers and warning signs, including advanced installation and maintenance during the construction period; and
- xii. Ongoing monitoring, including compliance checks by a competent person(s) during construction and immediately post-completion of construction works.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details.

Reason: To ensure biodiversity is protected in accordance with the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife and Countryside Act 1981 (as amended), Circular 06/2005, paragraphs 180, 185 and 186 of the National Planning Policy Framework (Chapter 15), the Protection of Badgers Act 1992, Policy SD9 of the Joint Core Strategy Gloucester, Cheltenham and Tewkesbury 2011 – 2031 and in order for the Council to comply with Part 3 of the Natural Environment and Rural Communities Act 2006. It is important that these details are agreed prior to the commencement of development as any on-site works could have implications for biodiversity.

3. Biodiversity Enhancements

Notwithstanding the submitted details, before above ground works commence a scheme for biodiversity enhancement, including the incorporation of permanent bat roosting features on retained buildings and trees, hedgehog homes plus hedgehog passes under fencing and nesting opportunities for birds, shall be submitted to and agreed in writing with the Local

Planning Authority. The approved details shall be implemented prior to the occupation of any of the buildings, and thereafter retained and maintained for the lifetime of the development;

The scheme shall include, but not limited to, the following details:-

- i. Description, design or specification of the type of feature(s) or measure(s) to be undertaken;
- ii. Materials and construction to ensure long lifespan of the feature/measure;
- iii. A drawing(s) showing the location and where appropriate the elevation of the features or measures to be installed or undertaken; and
- iv. When the features or measures will be installed within the construction, occupation, or phase of the development.

The enhancement plan could be incorporated into the Landscape and Ecological Management Plan if desired.

Reason: To provide net gains for biodiversity in accordance with Section 40 of the NERC Act 2006, NPPF Chapter 15, the 25-year Environment plan, Policy SD9 of the Joint Core Strategy Gloucester, Cheltenham and Tewkesbury 2011 – 2031. The National Planning Policy is clear that in pursuing sustainable development a core principle for planning is achieving net gains for biodiversity.

4. Lighting Strategy

A bat sensitive lighting strategy scheme covering both construction and operational phases should be submitted to the local authority detailing location and specification of the lighting supported by contouring plans demonstrating any light spill into adjacent habitats. This plan should be completed following the recommendations of the Preliminary Ecological Appraisal of Smart Ecology and in conjunction with advice from the project ecologist (as required).

Reason: To protect nocturnal wildlife in accordance with the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife and Countryside Act 1981 (as amended), Circular 06/2005, paragraphs 180, 185 and 186 of the National Planning Policy Framework (Chapter 15), Policy SD9 of the Joint Core Strategy Gloucester, Cheltenham and Tewkesbury 2011 – 2031, and in order for the Council to comply with Part 3 of the Natural Environment and Rural Communities Act 2006.

Landscape and Ecological Management Plan (LEMP)

A 10 year Landscape and Ecological Management Plan (LEMP) shall be submitted to, and approved in writing by, the Local Planning Authority prior to any above ground works of the development hereby approved being undertaken. The plan shall be prepared in accordance with the principles set out in the Biodiversity Gain Plan plus Biodiversity Enhancements plan (if this forms a separate document) and must include, but not necessarily be limited to, the following information:

- i. Description and evaluation of features to be managed, including locations shown on a site map;
- ii. Establishment details, including preparation of the land;
- iii. Landscape and ecological trends and constraints on site that might influence management;
- iv. Aims and objectives of management, including ensuring the delivery of at least a 10% net gain in habitat units;
- v. Appropriate management options for achieving the aims and objectives;
- vi. Prescriptions for all management actions;
- vii. A work schedule matrix (i.e. an annual work plan) capable of being rolled forward over 5 or 10 year periods;

- viii. Details of the body or organisation responsible for the implementation of the plan;
- ix. Ongoing monitoring of delivery of the habitat enhancement and creation details to achieve net gain as well as details of possible remedial measures that might need to be put in place; and
- x. Timeframe for reviewing the plan.

The LEMP shall be implemented in accordance with the approved details and all habitats shall be retained in that manner thereafter. Notice in writing shall be given to the Council when the habitat creation and enhancement works as set out in the Biodiversity Gain Plan have commenced and once all habitat creation and enhancements have been completed.

Reason: To secure the delivery of at least a 10% biodiversity net gain through successful establishment and management of all newly created and enhanced habitats in accordance with Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021), paragraph 180, 185 and 186 of the NPPF, Policy SD9 of the Joint Core Strategy Gloucester, Cheltenham and Tewkesbury 2011 – 2031.

Ecologist 2

10th March 2026 –

Thank you for consulting ecology on planning application 25/01567/FUL.

The submitted information has been reviewed, and the following is outstanding and required prior to a determinative decision being made:

- Clarification of the method of achieving a minimum of 10% Biodiversity Net Gain is required.
- As stated in our previous response and the ecology report submitted (Preliminary Ecological Appraisal, Smart Ecology, 2025) Environmental DNA (eDNA) surveys of waterbodies within 500m of the site (mid- April – end of June) or join for the applicant to join the district level licence via NatureSpace is required prior to any permission being granted.

Habitat Regulations Assessment Cotswolds Beechwoods SAC

The authority has concluded that the adverse effects arising from the proposal are wholly consistent with effects detailed in Cotswold Beechwoods SAC Recreation Mitigation Strategy (2022). The authority's assessment is that the application complies with this strategy and that it can therefore be concluded that there will be no adverse effect on the integrity of the designated site identified subject to securing the required mitigation.

Three Derogation Tests

The proposed development has the potential to impact on habitat suitable for Great Crested Newt, a European Protected Species protected under the Conservation of Habitats and Species Regulations 2017.

In order for development affecting a European Protected Species to proceed, the Local Planning Authority must have regard to the three derogation tests set out in Regulation 55 of the Regulations. These tests require that:

1. The development must be for imperative reasons of overriding public interest;
2. There must be no satisfactory alternative; and
3. The action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range.

Based on the information submitted, the Local Planning Authority is not satisfied that

the proposal meets these three derogation tests. In particular, insufficient information has been provided to demonstrate that there are no satisfactory alternatives to the proposed development and that the development would not be detrimental to the maintenance of the local population of Great Crested Newts at a favourable conservation status.

In the absence of sufficient evidence to demonstrate compliance with the three derogation tests, the Local Planning Authority cannot be confident that a licence could be granted by Natural England. The proposal therefore fails to demonstrate compliance with the requirements of the Conservation of Habitats and Species Regulations 2017 and is contrary to national policy in National Planning Policy Framework which requires planning authorities to protect European Protected Species.

If the above can not be achieved the following refusal reasons are suggested: Insufficient information has been submitted to demonstrate the biodiversity gain objective can be met and the biodiversity gain condition can be discharged successfully in accordance with Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021).

And

Insufficient information has been submitted to enable the Local Planning Authority to fully assess the extent to which great crested newts, that are protected under the Wildlife and Countryside Act 1981 (as amended), and the Conservation of Habitats and Species Regulations 2017 (as amended) may be affected by the proposed development. The Local Planning Authority is therefore unable to fully assess the development in respect of the requirements of the National Planning Policy Framework, The Planning Practice Guidance, ODPM Circular 06/2005. Furthermore, the Local Planning Authority is also unable to fully assess the proposals in the light of the three derogation tests, as described in the ODPM Circular 06/2005 and The Conservation of Habitats and Species Regulations 2017 (as amended), preventing the Local Planning Authority from discharging its statutory duty with regards to European protected species.

Ecologist 3

19th March 2026-

The additional information submitted by the agent has been reviewed. The applicant has confirmed that they have joined the Great Crested Newt District Level Licensing (DLL) scheme via NatureSpace, which is considered sufficient to address potential impacts to great crested newts. On this basis, the Local Planning Authority can be satisfied that the proposals are capable of meeting the three derogation tests set out under the Conservation of Habitats and Species Regulations 2017 (as amended), subject to adherence to the requirements of the licensing scheme.

In respect of Biodiversity Net Gain (BNG), the applicant has confirmed that the required minimum 10% net gain will be achieved through the purchase of off-site biodiversity units via an approved provider. While on-site provision is limited due to site constraints, this approach is acceptable in principle and will be secured via condition.

Habitat Regulations Assessment – Cotswolds Beechwoods SAC

The authority has previously concluded that the adverse effects arising from the proposal are consistent with those detailed in the Cotswolds Beechwoods SAC Recreation Mitigation Strategy (2022). The proposal complies with this strategy and it can therefore be concluded that there will be no adverse effect on the integrity of the designated site, subject to securing the required mitigation.

Conclusion

Ecology raises no objection to the proposed development subject to the imposition of conditions.

Recommended Conditions:

LEMP- onsite small scale

- A Landscape and Ecological Management Plan (LEMP) covering a ten year period shall be submitted to and approved in writing by the Local Planning Authority prior to any above ground works of the development hereby permitted. The plan shall include, but not necessarily limited to, the following information:
- I. Description and evaluation of features to be managed, including locations shown on a site map;
 - II. Establishment details, including preparation of the land;
 - III. Landscape and ecological trends and constraints on site that might influence management;
 - IV. Aims and objectives of management, including ensuring the delivery of at least a 10% net gain in habitat units;
 - V. Appropriate management options for achieving the aims and objectives;
 - VI. Prescriptions for all management actions;
 - VII. A work schedule matrix (i.e. an annual work plan) capable of being rolled forward over 5 or 10 year periods;
 - VIII. Details of the body or organisation responsible for the implementation of the plan;
 - IX. Ongoing monitoring of delivery of the habitat enhancement and creation details to achieve net gain as well as details of remedial measures that may need to be put in place; and
 - X. Timeframe for reviewing the plan.

The LEMP shall be implemented in accordance with the approved details and all habitats shall be retained in that manner thereafter.

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

The Biodiversity Gain Plan shall be prepared in accordance with the Biodiversity Net Gain Design Stage Report dated February 2026 and prepared by All Ecology.

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

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

Biodiversity Enhancement

Notwithstanding the submitted details, before above ground works commence a scheme for biodiversity enhancements in line with the recommendations in section 5.3.2 table 5-2 of the Preliminary Ecological Appraisal Report dated October 2025 by Smart Ecology, shall be submitted to and approved in writing with the Local Planning Authority. The approved details thereafter shall be implemented, retained and maintained for their designed purpose in accordance with the approved scheme. The scheme shall include, but not limited to, the following details:

- i. Description, design or specification of the type of feature(s) or measure(s) to be undertaken;
- ii. Materials and construction to ensure long lifespan of the feature/measure
- iii. A drawing(s) showing the location and where appropriate the elevation of the features or measures to be installed or undertaken.
- iv. When the features or measures will be installed within the construction, occupation, or phase of the development.

Reason: To provide additional opportunities for species as a biodiversity enhancement, in accordance with paragraphs 187, 192 and 193 of the National Planning Policy Framework (Chapter 15), and Section 40 of the Natural Environment and Rural Communities Act 2006 as amended by the Environment Act 2021.

Ecological Enhancement Strategy (EMES) compliance

Prior to occupation of the development hereby approved, the applicant shall submit evidence that;

- ecological enhancements such as the bird, bat and hedgehog boxes, or bee/bug bricks have been installed as outlined in the applicant's Ecological Mitigation and Enhancement Strategy (EMES), to Cheltenham Borough Council in order that the council may verify that the agreed ecological enhancement/mitigation measures proposed are in place when the development is complete. Evidence can be submitted as photos.

Reason: (1) In order to discharge its biodiversity duty, the LPA must satisfy itself that all developments deliver ecological enhancement wherever reasonably possible; (2) Ecological enhancement is a requirement of the revised National Planning Policy Framework (2021) which states (in paragraph 174) that 'Planning policies and decisions should contribute to and enhance the natural and local environment...'. And (3) Policy SD9 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy 2011-2031 (2017) which encourages new development to: "contribute positively to biodiversity and geodiversity whilst linking with wider networks of green infrastructure. For example, by incorporating habitat features into the design to assist in the creation and enhancement of wildlife corridors and ecological steppingstones between sites".

Compliance with Report including for EPS (with options for PWMS and EPS statement)

The development shall be carried out in strict accordance with the recommendations in the consultancy report (Preliminary Ecological Appraisal Report, Smart Ecology, 2025) All the recommendations shall be implemented in full according to the timescales specified in the report and thereafter permanently maintained for the stated purposes of biodiversity conservation.

Reason: To ensure that species and habitats are protected in accordance with The Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife and Countryside Act 1981 (as amended), Circular 06/2005, paragraphs 187, 192 and 193 of the National Planning Policy Framework, and in order for the Council to comply with Section 40 of the Natural Environment and Rural Communities Act 2006 as amended by the Environment Act 2021.

Informative:

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

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition "(the biodiversity gain condition)" that

development may not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan in writing.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. Based on the information available this permission is considered to be one which will require the approval of a biodiversity gain plan before development is begun because none of the statutory exemptions or transitional arrangements are considered to apply. If the onsite habitats include irreplaceable habitats (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitats) Regulations 2024) there are additional requirements for the content and approval of Biodiversity Gain Plans. Advice about how to prepare a

Biodiversity Gain Plan and a template can be found at

<https://www.gov.uk/guidance/submit-a-biodiversity-gain-plan>.

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

GCC Highways Development Management 1

12th November 2025 –

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

The proposed new access to the car park should meet standards in terms of geometry and visibility. The local highway authority has concerns over both these aspects.

No speed survey has been submitted with this application although reference is made to one carried out for the previous owners. Please request this survey and the calculations of the resultant visibility splay requirements – even though a drawing (1450.03) has been produced. The vehicular visibility splays should be shown with an X distance of 2.4m back from the carriageway edge into the centre of the proposed access and a Y distance based on the 85th percentile 7-day average speed from the speed survey measured along the nearside kerblin in each direction. For example, the Y distance at 30mph is 43m. The submitted drawing shows visibility splays but they do not terminate on the carriageway edge.

It is contended that a significantly greater amount of hedge will need to be cut back or removed to provide compliant visibility splays for the new access. Please request a more detailed assessment of this than what is shown on the drawing.

At pre-app the LHA requested evidence that vehicles could pass in the new car park access. Whilst a 5.5m width may be acceptable, no swept paths are shown for 2 vehicles meeting and passing one another at the new access.

The existing access makes no provision for pedestrian access. The new proposals should consider this requirement based on pedestrian demand in the area to use the car park as a way into the university.

Please request information as to where the new dwellings' bins will be presented for collection. The containers cannot be left on the verge as this will obscure visibility along the road for approaching traffic and those exiting the accesses.

The Highway Authority therefore submits a response of deferral until the required information has been provided and considered.

GCC Highways Development Management 2

3rd December 2025 –

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

The applicant has addressed the points made in the LHA's formal response dated 12 November 2025. As such the proposals are now accepted.

Conditions

Site Access – please approve the Block Plan 1450.02B, showing the site access arrangements and bin collection point.

Prior to commencement, full engineering and constructional details of the proposed site access shown indicatively on approved drawing 1450.02B shall be submitted to and approved in writing by the local planning authority and none of the new dwellings hereby approved shall be occupied until the approved works have been completed to the satisfaction of the local planning authority.

Reason: In the interests of highway safety.

Construction Management Plan

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

- Parking of vehicle of site operatives and visitors (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction);
- Advisory routes for construction traffic;
- Any temporary access to the site;
- Locations for loading/unloading and storage of plant, waste and construction materials;
- Method of preventing mud and dust being carried onto the highway;
- Arrangements for turning vehicles;
- Arrangements to receive abnormal loads or unusually large vehicles;
- Highway Condition survey;
- Methods of communicating the Construction Management Plan to staff, visitors and neighbouring residents and businesses.

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

Informatives

Works on the Public Highway

The development hereby approved includes the carrying out of work on the adopted highway. You are advised that before undertaking work on the adopted highway you must enter into a highway agreement under Section 278 of the Highways Act 1980 with the County Council, which would specify the works and the terms and conditions under which they are to be carried out.

Contact the Highway Authority's Legal Agreements Development Management Team at highwaylegalagreements@gloucestershire.gov.uk allowing sufficient time for the preparation and signing of the Agreement. You will be required to pay fees to cover the Council's costs in undertaking the following actions:

- Drafting the Agreement
- A Monitoring Fee
- Approving the highway details
- Inspecting the highway works

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

GCC Highways Development Management 3

23rd February 2026-

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

Cheltenham Civic Society 1

12th November 2025 -

OBJECT

Impact on the Conservation Area

The starting point for our objection is the requirement in Section 72 of the 1990 Planning Act requiring special attention be paid to the desirability of preserving or enhancing the character or appearance of the Conservation Area. There is no evidence in the application papers or the design proposals that the applicant has understood this Duty, or the importance of the

Conservation Area setting.

As The Park Conservation Area Assessment and Management Plan (CAAMP) (extant policy) sets out in the summary of special interest: This Character Appraisal of the Park Character Area within Cheltenham's Central Conservation Area concludes that the special interest of the area derives from the following key characteristics:

- The tear-drop shaped plan form of the Park is a distinctive feature within the town and sets a basis for the other special qualities of the area;
- The extensive green space within the Park itself "...makes the single greatest contribution to (establishing) the spacious character of the area;"

The CAAMP specifically identifies the need to control new development, like this application, as well as boundary enclosures, setting and views and enhancement of existing buildings and land, all of which this application threatens instead of improving.

The proposal would have a very significant negative impact on the Conservation Area. As we warned in our letter to Tracey Birkinshaw on 16 September 2025, there are specific

characteristics that must be taken into account on this sensitive site within the teardrop of the Park itself:

- New residential buildings on the 'inside' of the Park have never previously been permitted, only ancillary service buildings for the University or – exceptionally – those within the curtilage of existing properties.
- The existing buildings are low level, with no more than 2 storeys under pitched roofs. About 45% of 64 The Park is single storey. The Farmery is almost entirely single storey, with the second storey accounting for only about 15% of the built site.
- The existing buildings are humble in design, subservient to all buildings in the immediate vicinity and very obviously subservient to the principal buildings that they served at the northern and eastern ends of the Park.
- The buildings are well spaced in clear plots, the dispersal of which contribute to their low visual impact on the Park's setting.

The National Planning Policy Framework (NPPF) attaches 'great weight' to the conservation of heritage assets and their significance, including Conservation Areas. As para 202 states: These [heritage] assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations. The proposals will result in damage to the Conservation Area such that future enjoyment of it will be significantly diminished.

These character elements have been ignored by the applicant. The proposals actually go against the grain of the Conservation Area and its preservation or enhancement, contrary to s72 as well as NPPF paras 203 (f) and (g), 214 and 219.

As NPPF para 220 states, not all elements of a Conservation Area will necessarily contribute to its significance. In this case, though, the development of the space itself will have a severe impact on the setting, requiring CBC to demonstrate the level of resulting harm and to manage it accordingly.

JCS Policy SD8 para 3 states: Designated and undesignated heritage assets and their settings will be conserved and enhanced as appropriate to their significance, and for their important contribution to local character, distinctiveness and sense of place. Consideration will also be given to the contribution made by heritage assets to supporting sustainable communities and the local economy. Development should aim to sustain and enhance the significance of heritage assets and put them to viable uses consistent with their conservation whilst improving accessibility where appropriate.

Precedent

This application should be refused for its damaging impact on the Park's setting. The precedent this would also set for future development on the inside of the Park's 'teardrop' would be difficult to resist if this proposal is permitted.

If consent is granted, the consequence would not only be the unwelcome it itself but could create a precedent for wider development in the Park itself. Even though each planning application must be considered on its merits, approval of these proposals will undoubtedly embolden those who would like to see more of the Park sold off and built on. If this were to happen, the character of the Park would be destroyed and Cheltenham would lose one of its finest pieces of townscape.

Public Amenity

The Park has provided publicly accessible recreation space with uninterrupted access for almost 2 centuries. Custom and practice of public use of this area over more than a century demands careful consideration under NPPF para 215 to weigh the development against the public benefits of the proposal. We believe the application would cause harm to the

conservation area's character so the applicant must clearly explain why the harm is necessary and whether there are design alternatives or mitigations.

JCS Policy SD8 para 1 states: The built, natural and cultural heritage of Gloucester City, Cheltenham town, Tewkesbury town, smaller historic settlements and the wider countryside will continue to be valued and promoted for their important contribution to local identity, quality of life and the economy. This application undermines that intent, especially as it relates to the quality of life of those who have enjoyed and continue to enjoy this important amenity area that shapes the conservation area.

Harms must be assessed against the NPPF/Historic England guidance and given appropriate weight in the balance. Substantial harm should lead to refusal but less-than-substantial harm still requires clear public benefits to justify approval. Case law emphasises that the statutory duty requires decision-makers to give considerable weight to conservation but there appears to be no real consideration or demonstration of this in the application.

Design of proposed new buildings

It is not good enough just to presume that a new building is automatically of sufficiently high quality to enhance the character of the conservation area. In this case, it is not. Indeed the design is wholly inappropriate – see below.

We appreciate the proposed reuse and adaptation of some of the existing buildings. We support the change of use of Broadlands Lodge and Farmery Lodge to residential use and the retention of these structures. However, as they are to be restored, it is all the more important that any new buildings should reflect their architectural style, materials and palette.

That means new structures should be restricted to no more than 2 storeys high, be designed with pitched roofs and use materials and a palette that relates to those older buildings. This is why we object to the proposed designs for the buildings on plot 2 and plot 3. They are too high and bulky, and the design does not contribute to preserving or enhancing the character or appearance of the Conservation Area.

Consequently, the application fails to comply with Cheltenham Plan Policy D1 paras b, c and d, SD10 paras 5 and 6, SD14 paras 2i and vii, National Design Guide (NDG) policies NDG C1: Understand and relate well to the site, its local and wider context; NDG I1: Respond to existing local character and identity; NDG I2: Well-designed, high quality and attractive places and buildings; NDG I3: Create character and identity; NDG B1: Compact form of development; NDG B2: Appropriate building types and forms.

Green link between the road and the Park

The 'tongue' of green space between the Farmery Lodge and The Farmery at the north and Broadlands Lodge at the south, connects the road to the playing fields and University grounds. It is an essential visual link and contains a number of interesting trees. Until recently this area has provided a well-used, informal public access from the road to the playing fields. It should be kept entirely free of development and made open for public access. At very least, a public right of way should be created across it, so that people can continue to walk or cycle to and from the university grounds this way. Instead, the plans propose that the area be closed off, and it is not clear who will be responsible for managing this area.

The Proposed Street Scene submitted appears to show a heavy solid gate across the entrance. The effective privatisation of an area that has previously been seen as open for public use why we object to the scheme.

The CAAMP states: The central space of the Park is the essence of the area's uniqueness despite the fact that it now contains a considerable number of buildings and paraphernalia

as part function and of its University. In seeking to improve the area, the negative impact of these service buildings should be enhanced or removed to improve the setting, not made even more incongruous by inappropriate and massive design with inappropriate forms such as flat roofs. These designs show a fundamental misunderstanding of the Park's characteristic architectural styles and forms.

NDG N1 Provide a network of high quality, green open spaces with a variety of landscapes and activities, including play. NDG H1: Healthy, comfortable and safe internal and external environment. NDG H2: Well-related to external amenity and public spaces.

Other matters

As per the bat report, we support the request that external lighting is kept to a minimum. There is a lack of information on proposed boundary treatments.

We are concerned that both the arboricultural reports submitted refer to plans for "nine private residential dwellings". If indeed there are plans for further development here, that would be wholly unacceptable. We trust that the planning authority would resist this to the fullest extent possible. Meanwhile we support local efforts to designate the Park (including the green link referred to above), as Local Green Space.

Summary

CBC should not need to be told how important the teardrop shaped greenspace of The Park is to Cheltenham and the Conservation Area and its fundamental role as a much-valued open space that the University, and its predecessors, have generously shared with local residents for over a century. Some change is unavoidable but this application fails to preserve or enhance the character or appearance of this part of the Conservation Area. The Civic Society has no choice but to object to this proposal in the strongest terms.

Cheltenham Civic Society 2

19th February 2026 –

25/01567/FUL Creation of new vehicular access to the university car park. Demolition of The Farmery buildings and erection of 2no. dwellings. Change of use of Broadlands Lodge and the Farmery Lodge to residential with associated extensions, access and landscaping. Broadlands Lodge 56 The Park Cheltenham Gloucestershire GL50 2RN

Revised plans submitted 29 January.

Comments of the Cheltenham Civic Society in response to the revised plans submitted 29/01/2026 (submitted 13/2/26

We are surprised that this has not been submitted as a new application.

The revised scheme has responded to some of our earlier concerns and to those of the Heritage and Conservation officer. The buildings have been reduced in height from three to two storeys, which we welcome, and appear to have been moved back a little on to the Farmery site.

However, we still have three concerns:

i) The design of the proposed new buildings is still completely out of keeping with their two brick built, Victorian neighbours, and bears no relation to the many fine listed buildings elsewhere in the Park. The materials, shape and volume are all at variance with those of the buildings nearby. The planning authority has a duty under s.72 of the Planning (listed buildings and conservation areas) Act (1990) to preserve and enhance the conservation area. One of the positive qualities of the Park Character Area is that "the form of the buildings and use of quality building materials complement each other. They combine together to give the area a grandeur, elegance and spaciousness". These proposed new

buildings do not do that, and would have a negative impact on the character area. It is perfectly possible to design a couple of buildings on this very sensitive site which respect and complement the character of those around, and which would then be in accordance with national legislation and local planning policies regarding conservation areas.

ii) The revised proposals have opened up the view through from the road into the inside of The Park. This is welcomed as "the extensive green space within The Park itself makes the single greatest contribution to (establishing) the spacious character of the area." However, we object to the way that this greenspace, to which residents previously had de facto public access for many decades, has effectively been privatised and fenced off. Ideally this space should be returned to the University as a connecting green link. Failing that, and as a minimum, there should be a) a right of way created through it for pedestrians to walk between the road and the playing fields, and b) a legally enforceable covenant put in place to ensure that the entire area is kept clear of any obstructions (e.g. play equipment, sheds, parked cars, caravans).

iii) We know that it is a principle of planning that each case will be decided on its own merits, but there can be little doubt that if this scheme goes ahead, the University will be tempted to try to sell off other areas, eg the parking space to the west of Fullwood Lodge. And others will point to it as a precedent to justify more new building in The Park and perhaps in other green spaces in Cheltenham.

Heritage And Conservation 1

16th December 2025 -

Relevant legislation and policies

- Planning (Listed Buildings and Conservation Areas) Act 1990
- The National Planning Policy Framework (DLUHC: December 2024)
- Policy SD8 (Historic Environment) of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy 2011-2013 (adopted December 2017)
- The Park Character Area Appraisal and Management Plan (2008) (CAAMP)

Section 72 (1) of the 1990 Act requires that in the exercise of planning functions "with respect to any buildings or other land in a conservation area...special attention be paid to the desirability of preserving or enhancing the character or appearance of that area."

The National Planning Policy Framework (NPPF, December 2024) reinforces this position in Section 16, stating that "When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation" and that any harm to or loss of, the significance of a designated heritage assets, including conservation areas, should be supported by clear and convincing justification. If a development proposal will result in harm, this harm should be weighed against the public benefits of the proposal.

Local policy is equally clear. Policy SD8 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy requires proposals to conserve and enhance the historic environment, ensuring that development is informed by, and responds positively to, its context. The Park Character Area Appraisal and Management Plan (CAAMP) further identify the area's defining attributes, spaciousness, landscaped quality, and coherent streetscape. The CAAMP includes actions to retain openness and protect views (Action TP11).

Site Context

The application site relates to a parcel of land and buildings formally located within the University of Gloucestershire Park campus. There are three buildings on the site: Broadlands Lodge (56 The Park), Farmery Lodge and The Farmery. Both Broadlands Lodge and Farmery Lodge appear unoccupied having previously been used as offices/administration purposes associated with the university whilst The Farmery buildings were used as ancillary

to the university. The application site/buildings are no longer owned by the University having been sold earlier this year.

The buildings are constructed of brick and are predominantly two storeys in height. Farmery Lodge dates from the late 19th century to early 20th century whilst Broadlands Lodge dates from the early 20th century. Parts of the Farmery may date from as early as the late 19th century.

An area of open green space separates Broadlands Lodge from the two Farmery buildings. This land includes several mature trees and boundary hedging. The boundary to the north is open with views over the open green space and University campus.

The application site lies within the Park Character Area of the Central Conservation Area. Broadlands Lodge is identified as a 'positive building' in the Park CAAMP (2008). 'Positive buildings' are considered to make a positive contribution to the character and appearance of the conservation area.

There are three Grade II listed buildings located on the opposite side of the road to the site: Chalfont House and associated railings, Oakley and Little Oakley and two pairs of gate piers with wall (adjoining Oakley and Little Oakley). There is a further grade II listed building to the north of the site, the Boathouse, also located within the Park.

Proposal

This application seeks planning permission for the conversion of Broadlands Lodge and Farmery Lodge into two dwellings, and the construction of two dwellings following the demolition of The Farmery buildings.

The application follows the submission of a pre-application enquiry for the development of 7 no. dwellings and the construction of an apartment block for 4 units. The conservation officer commented at the time that the principle of development was acceptable subject to further details and assessments.

Heritage Significance

The Park was laid out by 1833 by its owner Thomas Billings as an oval tree-lined drive with a central park. For a short period in the mid-C19 the Park became a zoological garden and in 1839 the development was bought by Samuel Daukes who continued building. The Park is thought to be one of the principal developments influenced by White's and Nash's design for Regent's Park in London (1809-11).

The Park is recognised for its tear-drop layout, generous plots, mature trees, and expansive greenspace which collectively confer a distinguished and serene character. The interplay between buildings and green space is central to its significance; it is an environment where architecture is subservient to The Park and where positive buildings support, rather than dominate, the setting.

The CAAMP recognises that the Park character area has a distinct identity. It includes a summary of the special interest of the Park, including:

- The tear-drop shaped plan form of the Park is a distinctive feature within the town and sets a basis for the other special qualities of the area.
- The pattern and layout of streets, the spaces between buildings, the form of the buildings and use of quality building materials complement each other. They combine to give the area grandeur, elegance and spaciousness.
- The extensive green space within the Park itself "makes the single greatest contribution to (establishing) the spacious character of the area;"
- The well-established tree-lined streets, particularly in and around the Park, greatly

enhance the area's character and appearance and the setting of its buildings. The trees create a leafy character for many of the residential streets.

- The character area contains large numbers of Georgian and early Victorian formally laid out villas and terraces. The villas particularly contribute to the form and the distinct and impressive character of the area.
- This character area is an area of rich architectural and historic interest. It contains over 100 statutory listed buildings (some of which are grouped under the same listing) and structures and some buildings and structures which are included on the Local Index.
- There are a large number of surviving gate piers fronting the Georgian and Victorian villas. These structures form an attractive and historic boundary treatment and enhance the setting of buildings.

The CAAMP describes the open space within the Park itself as 'a particularly striking feature', providing a 'highly attractive setting for the university buildings and the surrounding villas'. The CAAMP recognises that the green open space of the Park is a particularly important historic feature within the character area and 'makes the single greatest contribution to the spacious character of the area'.

Action TP11 of the CAAMP states that 'the Council will ensure the retention of the spacious character of this important central space within the Park through ensuring that any future development or redevelopment within the grounds does not erode any of the open space. This will ensure the retention of this area of green open space which makes an essentially important contribution to the character area'.

Change of Use

Both Broadlands Lodge and Farmery Lodge were originally built as dwellinghouses, however, they have since been used for office/administration purposes associated with the University.

Given that the buildings were originally intended as dwellinghouses the proposal to change their use is welcomed and is therefore supported.

Demolition of the Farmery

The Farmery has been heavily altered and retains limited original form. Its demolition, therefore, could be considered acceptable on heritage grounds, provided that its removal does not precipitate harm through the introduction of inappropriate replacement structures. Crucially, the test is not simply whether what is removed is of low significance; it is whether what is proposed in its place preserves or enhances the character and appearance of the conservation area.

Assessment of the proposed new build dwellings

The two new build dwellings proposed are of a contemporary design and three storeys in height, taller than the structures they replace. Their massing and height appear dominant, disrupting the established roofline and visual hierarchy of the site. Set against Broadlands Lodge and Farmery Lodge and within proximity to listed buildings across The Park, the new houses would read as dominant insertions rather than respectful additions.

Materiality compounds this issue. The use of metal and timber cladding, applied in a modular fashion, introduces tones and textures that are at odds with the prevailing palette of brick, stucco, and traditional detailing characteristic of the area. Contemporary design is not inherently unacceptable in conservation areas; indeed, sensitive contemporary additions can be positive, but success is dependent on design and its response to the site and its surroundings, including scale, proportion, materially and landscape setting. Here, the

proposal appears to prioritise architectural statement over contextual harmony, resulting in a discordant presence within a highly sensitive environment.

Perhaps most critical is the erosion of openness. The Park's identity relies upon large areas of greenspace, vegetation and views that extend across The Park, creating a sense of space and light that is integral to its significance. The proposed dwellings, by virtue of their scale, massing and enclosure, would diminish the sites characteristics. The additions would narrow visual corridors, reduce permeability, and introduce a feeling of enclosure that conflicts with the CAAMP's aspiration to retain spacious character (Action TP11).

Beyond the buildings themselves, the proposed gates and boundary hedging would obstruct views into and out of the site, undermining the openness and permeability that define The Park's character. Excessive enclosure, tall hedging, and solid gates would fragment visual continuity and erode the legibility of historic layouts. In this case, the new boundary features would seal off portions of the landscape, diminish its character and weaken the aesthetic relationship between buildings and open space.

The conservation area's character is founded on a relationship between built form and greenspace that benefits openness and shared views. Introducing visually heavy boundary treatments shifts that balance toward privatisation of space in a setting that has historically emphasised collective landscape amenity. The proposed modular forms of the new dwellings, coupled with such boundary changes, would have an adverse impact on the special character of the conservation area.

Conclusion and Recommendations

The Park is a historically significant planned development, noted for its tear-drop layout, tree-lined streets, and extensive green space, which contribute to its grandeur and spacious character. The current proposal, while containing acceptable elements in the conversion of Broadlands Lodge and Farmery Lodge, introduces two new dwellings whose scale, massing, and materials, would cause harm to the special character and appearance of the conservation area. Whilst it is recognised that the level of harm would be less than substantial, it is considered that the proposals would reduce the significance of the conservation area.

Under the NPPF, where harm to a designated heritage asset is identified, the decision-maker must consider whether the harm is justified by public benefits that are clear, convincing, and sufficiently outweigh that harm or loss. The harm in this case is multifaceted: The scale and massing of the new dwellings, their incongruent materials, and the enclosure of green space that comprises the wider setting.

The scheme does not preserve or enhance the conservation area, contrary to the 1990 Act, the NPPF, policy SD8 and the CAAMP. Therefore, refusal is recommended as detailed below unless substantial amendments are made to reduce the height and massing of the new dwellings, retain openness, adopt materials that harmonise with local precedent, and provide additional street scene (whole site) and evidencing minimal impact.

Heritage And Conservation 2

4th March 2026 -

Heritage and Conservation Comments

This is a re-consultation following the submission of amended plans. The following comments are made in respect of the amendments.

oThe reduction in height of the two new-build dwellings is welcomed and represents a positive step toward reducing their visual impact.

o The removal of the metal and timber cladding is also welcomed. However, given the prevailing use of brick within the surrounding context, it is considered that brick should form a key part of the revised palette. A combination of brick and render would be more appropriate and better suited to this sensitive location.

o The proposed revisions to the layouts of Plot 3 and the access drive to Broadlands are an improvement. Relocating the parking spaces for Plot 3 to the west of the dwelling results in a more coherent arrangement within the plot. In addition, moving the Broadlands access drive to the edge of the greenspace would help maintain the openness of this area and preserve important views into and out of the Park.

o The proposed estate fencing is considered acceptable. It would be in keeping with the character of the area and would help retain the site's permeability.

The proposed revisions are considered acceptable; therefore, no objection is raised against the proposals subject to the materials palette being amended, as suggested.

If minded to approve the application, the following conditions are recommended to be applied to the approval of planning permission:

1. Material samples
2. Details of the estate fencing
3. Protection of the open space

Drainage And Flooding

7th November 2025 –

There are no objections to the application provided that a condition for a sustainable drainage system (SuDS) is attached to mitigate the impact of impermeable surfaces. It's noted that a soakaway is currently proposed and BRE 365 testing will be required as part of the condition submission including evidence that the winter groundwater level is 1m below the invert of the proposed soakaway. The SuDS will need to follow and will be reviewed against the National standards for sustainable drainage systems (<https://www.gov.uk/government/publications/national-standards-for-sustainable-drainage-systems>)

If planning permission is granted, please request the following condition:

Prior to the commencement of development, a surface water drainage scheme, which shall incorporate Sustainable Drainage System (SUDS) principles and appropriate flood risk management, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include a programme for implementation of the works, and proposals for maintenance and management. The development shall not be carried out unless in accordance with the approved surface water drainage scheme.

Reason: To ensure flood risk management and sustainable drainage of the development, having regard to adopted policy INF2 of the Joint Core Strategy (2017). Approval is required upfront because the design of the drainage is an integral part of the development and its acceptability.

St Phillips And St James Area Residents Association

12th November 2025 –

Comments: The land affected by this application is outside our SPJARA area, but The Park is an important local amenity for all our residents and we wish therefore to comment on a proposal that is bound to affect it.

The University of Gloucestershire grants free public access to people to use their grounds in The Park, and we appreciate their generosity in this respect. We understand, too, the financial pressures that the university is under at present and why they have sold off this part of The Park.

Nonetheless, we are opposed to several aspects of this development which we think would seriously detract from the public amenity that The Park provides.

Until some temporary fencing was erected recently, the public has had de facto access to the central part of this site affected by the plantings, between Broadlands Lodge and the Farmery Lodge. This 'large central area given over to a lawn and a collection of early mature and mature trees' (quoted from the arboricultural report) provides a green link from the road into the grounds of the university, and the public have walked freely across it for many years. The current plans will close this off and effectively privatise a piece of de facto public space.

As well as losing access, it is clear that the public will lose the visual access that the green link currently provides, and that views into The Park from the road, which forms part of the original scheme when it was laid out nearly 200 years ago, will be heavily compromised. The photograph and photomontage that compare the existing and proposed street views illustrate what will be lost. Instead of the present welcome view into The Park, those outside will in future see a heavy gate that says - in effect - Keep Out!

Ideally this central part of the site, the green link, should not be enclosed at all as private space but dedicated as public open space. At very least, i) a public right of way should be created so that people can walk or cycle safely between the road and central park of the University grounds; and ii) planning conditions should be imposed that would prohibit any structure, planting or parking in the area that would obscure the current views into and out of The Park.

Furthermore, although every planning application must be decided on its own merits, this development, if approved, will establish a precedent that could be used to argue for the development of other areas on the edge of The Park.

To summarise: we object to this proposal as it will destroy the public benefit that this area currently provides to people living in and around The Park; and - if approved - it would set a precedent that puts other parts of The Park at risk of development.

Building Control

13th November 2025 - This application will require Building Regulations approval. Please contact the office on 01242 264321 or buildingcontrol@cheltenham.gov.uk for further information.