



CHEL TENHAM

BOROUGH COUNCIL

Notice of a meeting of Planning Committee

Thursday, 20 February 2020
6.00 pm
Council Chamber - Municipal Offices

Membership	
Councillors:	Garth Barnes (Chair), Paul Baker (Vice-Chair), Stephen Cooke, Diggory Seacome, Victoria Atherstone, Bernard Fisher, Dilys Barrell, Mike Collins, Alex Hegenbarth, Paul McCloskey, Tony Oliver, Simon Wheeler, John Payne and Rowena Hay

The Council has a substitution process and any substitutions will be announced at the meeting

Important Notice

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If you make a representation to the meeting you will be deemed to have consented to be filmed. By entering the Chamber you are also consenting to be filmed and to the possible use of those images and sound recordings for training purposes.

Agenda

- 1. APOLOGIES**
- 2. DECLARATIONS OF INTEREST**
- 3. DECLARATIONS OF INDEPENDENT SITE VISITS**
- 4. PUBLIC QUESTIONS**
- 5. MINUTES OF LAST MEETING** (Pages 7 - 12)
- 6. PLANNING/LISTED BUILDING/CONSERVATION AREA
CONSENT/ADVERTISEMENT APPLICATIONS,
APPLICATIONS FOR LAWFUL DEVELOPMENT
CERTIFICATE AND TREE RELATED APPLICATIONS**

- a) **19/01735/FUL & LBC Sandford Park House** (Pages 13 - 40)
 - b) **19/02430/LBC Sandford Lido** (Pages 41 - 46)
 - c) **19/02438/FUL & LBC Sandford Lido** (Pages 47 - 52)
- 7. APPEAL UPDATES** (Pages 53 - 54)
- 8. ANY OTHER ITEMS THE CHAIRMAN DETERMINES URGENT AND REQUIRES A DECISION**

Contact Officer: Democratic Services,
Email: builtenvironment@cheltenham.gov.uk

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Planning Committee

Thursday, 16th January, 2020

6.00pm

Attendees	
Councillors:	Councillor Garth Barnes (Chair), Councillor Paul Baker (Vice-Chair), Councillor Stephen Cooke, Councillor Diggory Seacome, Councillor Victoria Atherstone, Councillor Bernard Fisher, Councillor Dilys Barrell, Councillor Mike Collins, Councillor Paul McCloskey, Councillor Tony Oliver, Councillor Simon Wheeler, Councillor John Payne and Councillor Rowena Hay
Officers in Attendance:	David Oakhill (Head of Planning) Victoria Harris (Senior Planning Officer) Nick Jonathan (OneLegal)

1. Apologies

Councillor Hegenbarth.

2. Declarations of Interest

19/02335/FUL Recreation Ground, Clyde Crescent: Cllr Hay – will speak but not vote.

3. Declarations of independent site visits

27 Promenade: Cllr Fisher, Cllr Seacome, Cllr Oliver.

Cllr Cooke asked why declarations of independent site visits are necessary, and was informed that this has become a standard agenda item. It is useful for members to know who has visited the sites, and in the interests of transparency for members of the public.

4. Public Questions

None.

5. Minutes of last meeting

Councillor Barnes suggested that unless any Member wanted to discuss any matters included in the exempt minutes, there was no need to go into closed session in order to agree them. The minutes and exempt minutes of the meeting were agreed, as a true and accurate record.

6. Planning/Listed Building/Conservation Area Consent/Advertisement Applications, Applications for Lawful Development Certificate and Tree related applications

6. 19/01844/FUL & LBC 27 Promenade

Officer introduction

DO described the application for the conversion of a number of floors of GII listed property at 27 Promenade, currently trading as Radley's, with retail on all four levels, fronting the pedestrian area of the Promenade, and with rear access from Post Office Lane.

The proposal is to convert floors 1, 2 and 3 to a single residence, with a modest staircase from Post Office Lane for a pedestrian entrance and otherwise no external changes. There is no longer a need for the upper floors to be used as retail, and this relatively modest example of an adaption is part of an emerging pattern in the changing retail world. Officers are having active discussions with different land-owners across town, considering how to introduce more and different uses to town centre to increase diversity and footfall. This application proposes changes which are sympathetic to the listed building; the conservation officer is happy and the Civic Society consider it to be exemplar, and would like to see more similar schemes. The recommendation is to grant consent.

Member debate

RH: requested that this application come to committee, not because she has any objection to it but because she welcomes it and hopes to see more similar applications of this type in the future. It is a good use of the town centre, the residential use making it more diverse and busy. Is really pleased to hear such enthusiasm from the Civic Society on this.

BF: supports RH's comments on this. Remembers the last residential property on the Prom going some 20 years ago, opposite Imperial Gardens, but since then, town centre buildings have started to return to residential use, such as the flat over the coffee shop (former Dobells), and now Imperial Square, once 90% offices, returning to flats, and sometimes complete houses. Fully supports this application; it is an excellent idea.

[GB: failed to inform Committee at the beginning of the meeting that it is being recorded but not broadcast, for training purposes; the recording will be held for six months. Members understand that their presence at the meeting constitutes their consent to being filmed. Also, the electronic voting system tested out at the last meeting will continue, but for the time being with a show of hands alongside.]

JP: fully supports the application; it is absolutely the right thing to do, and apart from the metal staircase at the back, there will be no outward change to the building. One minor concern is that when the applicant originally proposed two dwellings, the heritage comments were a little scathing, and a little discouraging for the applicant. There needs to be a realisation that whilst these houses were built in the 1860s, lifestyle was very different then; there should be more freedom to allow developers to develop dwellings which support modern living. When Royal Crescent in Bath was built, it was just the outside walls - owners were able to put in the inside walls to suit their particular lifestyle, and it should be same here. Conservation officers are concerned about the removal of historic material, but only the people inside will see it, as the buildings are not open to public. Feels that there needs to be a little more relaxation on this.

DO, in response:

- conservation is traditionally about conserving buildings, and as town centres change, with a lot of listed buildings and conservation areas in Cheltenham, we need to learn to adapt to that change;
- the bigger picture is that these many of the buildings are GII-listed by Historic England; there is a role for CBC to talk with Historic England about this issue, as change needs to happen and inevitably some historic fabric will be lost, altered or changed as we allow buildings to evolve as they have done in the past. Is keen to keep pushing for this; CBC's conservation officers are keen too. This is the first application of this type for a while, and is part of a learning exercise.

SW: the debate is moving a little away from the start, but on that point, would remind Members that back in the '60s and '70s, the whole country was very free with bringing in the modern, and there is not a member who doesn't scathe attempts at modernisation in a lot of town centres, especially Gloucester. Conservation is very important, and there needs to be balance between keeping the outside as it was built, and not introducing 1960s and 70s boring, square architecture; it is important not to lose that, and to preserve what makes Cheltenham Cheltenham.

PM: member training is taking place after the meeting, and would just say that this is a really interesting and good application to bring to Committee. The more usual reason Members ask for a Committee decision is because the officer is not entirely on the same wavelength as the neighbours or Members, but there are other reasons too, and this is the only way to have a debate on trends emerging in the town. This is a perfectly sensible and good use of the planning agenda – how else going to debate these trends?

Vote on officer recommendation to permit

13 in support LBC

13 in support FUL

PERMIT - unanimous

**6. 19/02335/FUL Recreation Ground, Clyde Crescent
Officer introduction**

VH told Members that the application is for construction of a concrete scooter and skate park, next to the existing multi-use games area, play area and grass football pitch. The bowl-shaped design will support skaters, scooters, roller bladers and BMX riders, with a new access path, bench, bin, cycle racks and tree planting, and is situated 45m away from the closest residential dwelling. It is not lit. There have been no letters of representation from neighbours. The application is at Committee because CBC is the applicant and the landowner, and the recommendation is to permit, subject to the conditions set out in the officer report.

Public Speaking

Councillor Hay, in support

Has been involved with project work on this with residents; will therefore speak but not take part in the debate or vote. This is the fruition of five years' work and £70k fundraising, and technically speaking, came out of fact that young people were using Cornerstones at St Michaels Church as a skate and scooter park, coming straight off the steps into the road; the regeneration partnership started looking at what else to do and how to raise money for this, as there was a clear need for a facility for local youngsters, particularly those under 12 years of age although older children will use it too. Young people have been very much involved in the consultation on the design, and have helped with knocking on all the doors in Clyde Crescent. There were some complaints and concerns from local residents about the potential for anti-social behaviour from young people gathering together, and it will undoubtedly be very popular in the beginning, being the first facility of its kind in Cheltenham. It is constructed of concrete because of noise issues - the skate part in Pittville Park is very noisy – and the sides are banked, so flooding won't be an issue. As ward councillor is really excited about it, as the first of its kind and the fruition of much work. The young people who were involved at the start call themselves the WhadSquad, and can

now go to Pittville Park on their own, so the Clyde Crescent facility will be primarily for children too young to go do that. There will be an increase in the number of bins to address issue of littering. Hopes committee will support application.

Member debate

BF: considers this to be excellent, a really good idea. A similar installation at Burrows Field in Leckhampton a few years ago is still a hive of activity - kids love it - and the one in Pittville is also very popular. It is good for the local community and for local children. Should do more of it.

SC: echoes BF's comments - the cycle track in Leckhampton is really successful and a great asset to the community. Given that, wonders why this rather than a similar cycle track is proposed here, what the pros and cons and relative costs may be. Would also like reassurance that the concrete bowl won't turn into a swimming pool in bad weather.

JP: is fully supportive of this application for a number of reasons. One reason is that Prestbury is looking to do something similar, and when selecting possible activities, the idea of a cycle track was abandoned on the grounds of noise and cost; is therefore really pleased to have this facility in the neighbourhood. Regarding anti-social behaviour, would think this facility would help to mitigate against it, giving an outlet for energy. It is a really good idea. Has one small query, regarding the people who will be using it: is all for inclusivity but a little bit worried about the claim that it will be used by people in wheelchairs – would think that whizzing round ramps would give huge potential for injury. But otherwise considers this to be a great scheme, and fully supports it.

SW: echoes RH's comments. Can remember the days of Welch Road playing fields in his ward, when the main activity was the buying and selling of drugs. A lot of work was subsequently done there, a MUGA installed, the whole design altered - there were some complaints about anti-social behaviour but it was already there. Today it is a wonderful park, used right across the community, from young children and families, fathers and sons with jumpers for goalposts, and the elderly just there to sit. This not going to cause anti-social behaviour; it will actually solve a lot of it, giving young people somewhere to go, something to do, and it won't cost anything. It is a fabulous idea.

MC: fully supports the proposal; considers it a great idea, not only because of his previous sporting background. When serving on a previous council, did a lot of work on state parks, with user groups and youth workers; this is already a recreational area, and if there is any anti-social behaviour, this won't make it worse, but will channel it away. There is always a degree of hierarchy in what goes on in places such as these, and young people tend to self-police – they won't want people there messing about. As RH said, being closer to where the users live, they won't have to go far to access the facility, and they will have more ownership of it. If people moan about noise and litter, they should remember this goes on already; hopes this will improve it. It is absolutely brilliant.

SC: to reassure members, would just add that the possibility of anti-social behaviour at the Leckhampton skateboard park was raised beforehand, but has been almost absent. Noise has not been a problem either. It is a great asset to the community and this will be too; any worries along those lines can be dismissed.

VH, in response:

- regarding why this particular type of facility was chosen, it is a community-led scheme, and this is what the community wanted;
- regarding drainage, the proposal will be built above ground, and building control officers will inspect it; it will be constantly monitored, not something for planning application stage;
- regarding use of the facility by wheelchair users, if they wish to use it then we support it.

Vote on officer recommendation to permit

12 in support

PERMIT

**6. 19/02446/LBC Municipal Offices, Promenade
Officer introduction**

DO introduced the application for the Municipal Offices to remove modern stud partition walls and doors from the south wing ground and first floors, and block up some redundant spaces and openings, as part of CBC's modernisation agenda. The recommendation is to approve.

Member debate

BF: has just one question: as there was an application similar to this last month, why can't they be rolled into one, does it cost more money? Wouldn't one application have covered the lot?

DO, in response:

- listed building application are free.

Vote on recommendation to grant

13 in support – unanimous

GRANT

7. Appeal Updates

Latest appeal information had been circulated to Members.

8. Any other items the Chairman determines urgent and requires a decision

There were none.

9. Exempt Minutes

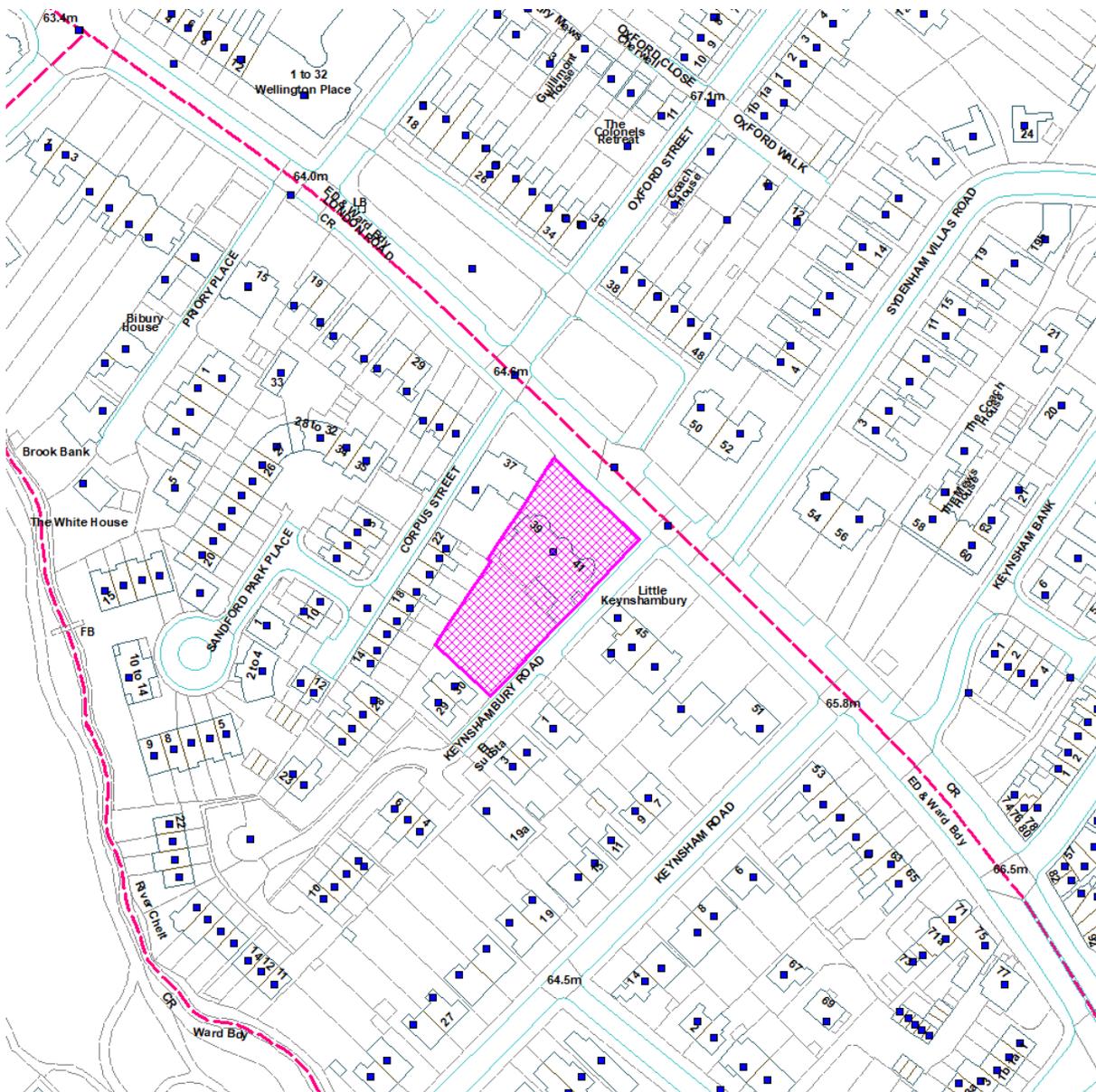
See above.

Chairman

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APPLICATION NO: 19/01735/FUL&LBC		OFFICER: Mrs Lucy White	
DATE REGISTERED: 12th September 2019		DATE OF EXPIRY: 12th December 2019 EOT 24 th February 2020	
DATE VALIDATED: 12th September 2019		DATE OF SITE VISIT: 16 th September 2019	
WARD: Charlton Park		PARISH:	
APPLICANT:	Ceres Estates		
AGENT:	Coombes Everitt Architects Limited		
LOCATION:	Sandford Park House, 39 - 41 London Road, Cheltenham		
PROPOSAL:	Change of use and refurbishment of Sandford Park House to provide 12 no. apartments, associated external improvement works and erection of 3 no. dwellings in rear curtilage.		

RECOMMENDATION: Permit subject to a 106 Obligation/Grant



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1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The application site comprises of a substantial three storey over basement grade II Regency property, listed at grade II. The property is located prominently within the Central Conservation Area (Sydenham Character Area) and historically was constructed as two dwellings but has since been extended; at the side in the mid twentieth century and more recently to the rear. Each of the original semi-detached houses (Sirsa House and Horton House) and the later side addition has a distinctive, full height curved bay on the front elevation. A large car park is located at the rear which is predominantly hard surfaced. Pedestrian and vehicular access to the site is via London Road and Keynshambury Road with a separate rear pedestrian entrance to the listed building. Keynshambury Road and the rear of properties in Corpus Street about the east/south and west boundaries respectively. The building is currently vacant but was last used as B1 offices/D1 support services of Gloucestershire County Council.
- 1.2 The applicant proposes the change of use and refurbishment of Sandford Park House to provide 12 no. apartments, associated external improvement works and the erection of 3 no. dwellings within the rear curtilage. This application follows comprehensive pre-application discussions; the submitted scheme incorporating much of the officer advice given at that stage.
- 1.3 This application has been referred to the Planning Committee at the request of Councillor Paul Baker. The reason for the referral is due to the concerns raised by local residents regarding loss of privacy and impact.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Airport Safeguarding over 45m
Conservation Area
Listed Buildings Grade 2
Principal Urban Area
Smoke Control Order

Relevant Planning History:

19/00805/PREAPP 2nd July 2019 CLO

Conversion to C3 residential use to include 13 no apartments and creation of three new mews houses

15/00031/LBC 6th March 2015 GRANT

Refurbishment to existing timber sash windows

19/01735/LBC PCO

Change of use and refurbishment of Sandford Park House to provide 12 no. apartments, associated external improvement works and erection of 3 no. dwellings in rear curtilage.

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 16 Conserving and enhancing the historic environment

Saved Local Plan Policies

CP 4 Safe and sustainable living
CP 7 Design
BE 5 Boundary enclosures in conservation areas
BE 10 Boundary enclosures to listed buildings
EM 2 Safeguarding of employment land

Adopted Joint Core Strategy Policies

SD4 Design Requirements
SD8 Historic Environment
SD10 Residential Development
SD12 Affordable Housing
SD14 Health and Environmental Quality
INF1 Transport Network

Supplementary Planning Guidance/Documents

Central conservation area: Sydenham Character Area and Management Plan (July 2008)

4. CONSULTATIONS

Building Control

13th September 2019

The application will require Building Regulations approval. Please contact Cheltenham and Tewkesbury Building Control on 01242 264321 for further information.

Heritage and Conservation

16th October 2019

Section 16(2) of the Planning (Listed buildings and Conservation Area) Act 1990 states, "In considering whether to grant listed building consent for any works the local planning authority... shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses."

A core principle of the National Planning Policy Framework 2019 (NPPF) is heritage assets be conserved in a manner appropriate to their significance. Chapter 16, paragraphs 193-196 set out the framework for decision making with applications relating to heritage assets. This assessment takes account of the relevant considerations in these paragraphs.

Paragraph 192 of the NPPF requires a local planning authority to identify and assess the particular significance of any heritage asset... taking into account of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation. Paragraph 193 of the NPPF states, "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."

Sandford Park House, 39-41 London Road, Cheltenham is a grade II listed building within the Central Conservation Area. It is a Regency house, historically semi-detached but

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extended significantly, with little remaining of historic interest internally. The proposed works relate to the conversion of the building into x12 flats and the erection of x3 terrace houses within the rear car park.

The impact of the proposal on the listed building is considered sympathetic. It has been designed to remove inappropriate features, retain what is of interest and reinstate some lost features. The impact on the setting of the listed building is not considered to be harmed by the proposal.

Concerning the proposed x3 terrace houses, typically development within the setting of a listed building to this extent may raise concerns. However, in this instance there are a number of factors to consider that mitigate any concerns. These include its setting already having been compromised by extensive hard surfacing associated with car parking, there being an unusually long rear garden that could more easily accommodate development without a significant impact on the listed building, the rear of the listed building itself having been considerably compromised by a modern rear extension that hides the historic rear elevation and the proposed development having been designed to allow for adequate space between it and the listed building to allow it not to appear cramped, it is considered there is no strong reason to object to the proposal.

The impact of the amended proposal on the special interest of listed building and the conservation area are considered acceptable. The proposed works are therefore considered to sustain the designated heritage assets and therefore comply with Section 16 of the Planning (Listed Building and Conservation Area) Act 1990, Chapter 16 of the National Planning Policy Framework and Policy SD8 of the Joint Core Strategy 2017.

If the application is approved it is advised the following or similar conditions be attached to any approval:

Facing and roofing materials samples

No external facing or roofing materials shall be applied unless in accordance with a written specification of the materials; and physical samples of the materials, details of which shall have been submitted to and approved in writing by the Local Planning Authority. The works shall not be carried out unless in accordance with the details so approved.

Reason: In the interests of the special architectural and historic qualities of the Listed Building, having regard to Policy SD8 of the Joint Core Strategy 2017 and Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Historic Environment Good Practice Advice (note 2).

Windows and doors

All windows and doors (both internal and external) shall not be implemented unless carried out in accordance with details which shall have first been submitted to and approved in writing by the Local Planning Authority. Details shall include but not be limited to, materials, finish, elevations to a scale of 1:10 or similar and cross sectional details (showing glazing bars and opening mechanism) to a scale of 1:2 or similar.

Reason: In the interests of the special architectural and historic qualities of the listed building, having regard to saved policy CP3 of the Cheltenham Borough Local Plan (2006), adopted policy SD8 of the Joint Core Strategy (2017), Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990, and Chapter 16 of the National Planning Policy Framework.

Schedule of Repair

A schedule of repair for works, to include a method statement, shall be submitted to and approved in writing by the Local Planning Authority. The works shall not be carried out unless in accordance with the details so approved.

Reason: In the interests of the special architectural and historic qualities of the Listed Building, having regard to Policy SD8 of the Joint Core Strategy 2017 and Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990, Chapter 16 of the National Planning Policy Framework and Historic Environment Good Practice Advice (note 2).

Disturbed surfaces

All disturbed surfaces shall be made good using materials to match the existing materials, composition, form, finish and colour of the existing building.

Reason: In the interests of the special architectural and historic qualities of the listed building, having regard to saved policy CP3 of the Cheltenham Borough Local Plan (2006), adopted policy SD8 of the Joint Core Strategy (2017), Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990, and Chapter 16 of the National Planning Policy Framework.

Minor Ancillary associated works

No minor ancillary associated works such as vents, flues, pipework, meter boxes, insulation, or works associated with building regulations or fire regulations or other similar works shall be implemented unless carried out in accordance with details which shall have first been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of the special architectural and historic qualities of the Listed Building, having regard to Policy SD8 of the Joint Core Strategy 2017 and Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990, Chapter 16 of the National Planning Policy Framework and Historic Environment Good Practice Advice (note 2).

Hard and soft landscaping

No hard and soft landscaping shall be implemented unless carried out in accordance with details which shall have first been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of the special architectural and historic qualities of the Listed Building, having regard to Policy SD8 of the Joint Core Strategy 2017 and Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990, Chapter 16 of the National Planning Policy Framework and Historic Environment Good Practice Advice (note 2).

Environmental Health

11th October 2019

I have no objection to the application on principal, however I would recommend that any consent for development is subject to a condition requiring the preparation and approval of a Construction Method Statement which includes details of methods to be used to limit the impact of noise and dust from building activity at the site.

County Archaeology

16th September 2019

Thank you for consulting me concerning the above planning application. I wish to make the following observations regarding the archaeological implications of this scheme.

I advise that I have checked the proposed development area against the County Historic Environment Record: no archaeology is recorded there, or in the immediate locality. The application site is located c. 200m east of Cheltenham's medieval settlement area.

In my view the proposed development has low potential to have any adverse impact on archaeological remains, and I therefore recommend that no archaeological investigation or recording should be required in connection with this scheme.

I have no further observations

Social Housing

16th September 2019

Level of Affordable Housing Provision.

The Joint Core Strategy Policy SD12: Affordable Housing states that 'on sites of 11 dwellings or more, or sites with a maximum combined gross floor space of greater than 1000 sqm; a minimum of 40% affordable housing will be sought within the Borough of Cheltenham'.

This application will comprise of approximately 15 residential units. Therefore at 40% in line with JCS SD12 the Council will be seeking 6 affordable units.

The latest SHMA that has been commissioned also requires a mix of approx. 75:25 rented to intermediate housing.

Dwelling Mix

Having regard to local needs we would therefore seek the following mix of affordable dwellings on this site:

40%	Social Rented	Intermediate (Shared Ownership)	Total	%
1 Bedroom 2P Flat	2	0	2	33
2 Bedroom 4P Flat	2	0	2	33
2 Bedroom 4P House	0	2	2	33
3 Bedroom 5P Flat	0	0	0	0
3 Bedroom 6P Flat	0	0	0	0
Total	4 (75%)	2 (25%)	6	100

Viability

The Joint Core Strategy states that where there is an issue relating to the viability of development that impacts on delivery of the full affordable housing requirement, developers should consider:

- Varying the housing mix and design of the scheme in order to reduce costs whilst having regard to the requirements of other policies in the plan, particularly Policy SD4, and the objective of creating a balanced housing market.
- Securing public subsidy or other commuted sums to assist delivery of affordable housing

If a development cannot deliver the full affordable housing requirement, a viability assessment conforming to an agreed methodology, in accordance with Policy INF6 will be required. Viability assessments will be published in full prior to determination for all non-policy compliant schemes except in exceptional circumstances when it can be proven that publication of certain specific information would harm the commercial confidentiality of the developer to no public benefit. Where necessary CBC will then arrange for them to be independently appraised at the expense of the applicant.

The council considers that information submitted as a part of, and in support of a viability assessment should be treated transparently and be available for wider scrutiny. In submitting information, applicants should do so in the knowledge that this will be made publicly available alongside other application documents.

The council will allow for exceptions to this in very limited circumstances and only in the event that there is a convincing case that disclosure of an element of a viability assessment would cause harm to the public interest to an extent that is not outweighed by the benefits of disclosure. Given the significant benefits associated with the availability of information to the public as part of the decision making process, and the other factors identified above, the councils anticipate that there would be very few exceptions.

If an applicant wishes to make a case for an exceptional circumstance in relation to an element of their assessment, they should provide a full justification as to the extent to which disclosure of a specific piece of information would cause an 'adverse effect' and harm to the public interest that is not outweighed by the benefits of disclosure. The council will consider this carefully, with reference to the 'adverse effect' and overriding 'public interest' tests in the EIR, as well as the specific circumstances of the case.

The viability of a site may enable additional levels of affordable housing to be delivered above the requirements set out in the Joint Core Strategy. In this case the authority will negotiate with developers to find an appropriate balance to deliver affordable housing and infrastructure needs.

Dwelling Mix/Tenure

The intermediate housing should be shared ownership and we have proposed this as a mix of dwelling types as this best meets local needs.

It is the Council's view that the housing needs and welfare of households in smaller, 1 bedroom properties would be best met by ensuring that all 1 bedroom dwellings can reasonably accommodate 2 bed spaces, unless exceptional circumstances deemed this unviable.

Furthermore, to promote the provision of high quality affordable accommodation, Cheltenham Borough Council would expect all 2 bedroom dwellings to accommodate 4 bed spaces, unless exceptional circumstances deemed this unviable. The Council has provided a suggested mix (see page one) which should provide a starting point for discussions surrounding affordable housing. The design of affordable housing should meet required

standards and be equal to that of market housing in terms of appearance, build quality and materials.

Rents

The Council would expect that any affordable rented units included within the proposed dwelling mix will be capped at LHA levels. Furthermore, JCS Policy SD11: Housing Mix and Standards calls for new housing developments to create “balanced communities consisting of a range of housing types”. Specifically, Section 4.11.2 obliges the Council to “create more diverse and inclusive communities than one dominated by a single accommodation type”. Accordingly, In light of a stark lack of social rented delivery in the past 5 years, (with 8 social rented units delivered out of 286 total affordable completions) and in keeping with the NPPF’s expectations that Cheltenham actively aim to create “mixed and balanced communities” which will simultaneously promote the growth of a sustainable, balanced housing market as per JCS Policy SD11, The Council would anticipate that the rented element of this site should be delivered at 100% social rented levels, thus meeting our largest contingent of priority need on Homeseeker Plus for 1 and 2 bedroom homes.

In forming this view surrounding social rent, The Council consulted the most up-to-date evidence base available; the September 2015 SHMA Update Note, which states that 75.9% of households in need per annum could afford a social rented dwelling and that 479 new social rented dwellings are required between 2015-2031.

Furthermore, the Council is also acutely aware of Homes England’s overriding desire to exponentially increase social rented delivery in Cheltenham, which the Ministry for Housing, Communities and Local Government has recently designated as an area of ‘high affordability pressure’, with Cheltenham’s average house prices being 9 times higher than the average Cheltenham wage. This argument lends further weight still to the necessity of increasing social rented delivery in Cheltenham.

Service Charges

Any service charges on the affordable dwellings should be eligible for Housing Benefit. Service charges should be kept minimal. This can be achieved through the design and we would be happy to refer you to RP’s for further input if necessary.

Shared Ownership

The intermediate housing should be shared ownership and we would expect that the shared ownership units will be let at a level that is affordable, having regard to local incomes and house prices. Provision should be made, where possible to ensure that housing will remain at an affordable price for future eligible households, or that subsidy will be recycled for alternative housing provision.

Car Parking

Parking provision for affordable homes will be expected to be made on the same basis as that provided for market dwellings.

Affordable Housing Standards

We would expect all the affordable housing to meet minimum gross internal floor area size measurements, space, design and quality standards as described by Homes England.

Unlike homes bought on the open market by private purchasers, affordable housing units are usually fully occupied by bed space and space standards, therefore need to be adequate for the maximum number of occupants.

Registered Providers prefer affordable homes to have reasonable space standards and to include sufficient storage space to enable them to be let to households of an appropriate size. The table included below shows the minimum internal floor area deemed as reasonable for the range of dwelling types listed:

It is expected that the applicant will adhere to the affordable housing space standards specified in the table above.

In addition, it should be noted that the Council expects all general needs accommodation to be designed to meet the 2015 amendments of M4 (1) Building Regulations 2010. Moreover, all ground floor flats or a proportion of dwellings (to be agreed) should be designed to meet the 2015 amendments of M4 (2) Building Regulations 2010. The Council would also be eager to understand how, as outlined within JCS SD11: Housing Mix and Standards, the proposals for the site will demonstrate that accessibility and adaptability have been considered in both the design of the scheme and, by implication, the design of the affordable housing contingent.

Any wheelchair user dwellings would be required to be designed to meet the 2015 amendments of M4 (3) Building Regulations. As the gross internal areas in this standard will not be adequate for wheelchair housing, additional internal area would be required to accommodate increased circulation and functionality to meet the needs of wheelchair households.

There is no longer a requirement for a specific level of code for sustainable Homes Standard to be achieved to meet Homes England standards for new affordable homes. This is therefore to be negotiated with the developer. However, the Council would nevertheless refer the applicant to paragraph 4.11.7 in JCS Policy SD12: Affordable Housing, which states that "properties should be adaptable in order to meet people's changing needs and help to sustain independent living".

Full Planning Application

On submission of an outline or full planning application we would require an Affordable Housing Plan as part of the application, detailing the location of both the market and affordable homes in terms of their type and size as well as highlighting parking spaces and the dwellings they serve.

Registered Providers

All affordable housing should be provided by a Registered Provider who will be expected to enter into a nominations agreement with the Local Authority, providing 100% nominations on first letting/sale and 75% of all subsequent lettings thereafter and will be marketed by Help to Buy South. This will assist the Cheltenham Borough Council in meeting its statutory housing duties under the Housing and Homelessness legislation.

A list of Registered Providers managing accommodation in Cheltenham can be made available if needed.

Land Drainage Officer

3rd October 2019

I reserve any comment until the applicant has submitted his detailed drainage strategy in accordance with the LLFA (GCC) requirements dated 16th September 2019.

GCC Local Flood Authority (LLFA)

31st October 2019

Following the LLFAs objection and request for more information on 16th September 2019, the applicant has supplied a "Drainage Strategy Statement" (Revision P1 - October 2019) on which I have made the following observations and recommendation. Surface water is currently being drained into the Severn Trent Water combined sewer on the London Road, which would be an appropriate discharge strategy for the proposed development. The

applicant has also suggested they will explore the use of soakaways but has not provided infiltration tests yet. If they do choose this strategy then they must include infiltration tests that meet the BRE 365 standards in a detailed drainage design.

Although the applicant has not provided specific discharge rates, they have demonstrated that they will be reducing the impermeable area and therefore reducing the discharge rate as a result. This, along with the layout of the site, shows that the development will not increase the risk of flooding elsewhere. For brownfield sites, the LLFA seeks a 40% reduction in the post development discharge rates over the current rate. This should be possible considering the proposed introduction of permeable paving, however, evidence that this has been achieved should be included in a detailed drainage design.

The applicant must also consider the increase in runoff as a result of climate change in the future. The latest estimates from the Environment Agency suggest there could be a 40% increase in peak rainfall intensity. This must be accounted for in the applicants detailed drainage design.

LLFAs recommendation

The applicant has demonstrated that the development will not increase the risk of flooding to the surrounding area. However, they must provide a detailed drainage design and maintenance schedule, including the management of the network. The LLFA recommends no objection subject to the following conditions:

Condition: No development shall commence on site until a detailed Sustainable Drainage System (SuDS) Strategy document has been provided for approval by the Local Planning Authority, this should be in accordance with the proposal set out in the applicant's submission (Drainage Strategy Statement, Revision P1 - October 2019). The SuDS Strategy must include a detailed design. The SuDS Strategy must also demonstrate the technical feasibility/viability of the drainage system through the use of SuDS to manage the flood risk to the site and elsewhere and the measures taken to manage the water quality for the life time of the development. The approved scheme for the surface water drainage shall be carried out in accordance with the approved details before the development is first put in to use/occupied.

Reason: To ensure the development is provided with a satisfactory means of drainage and thereby preventing the risk of flooding. It is important that these details are agreed prior to the commencement of development as any works on site could have implications for drainage, flood risk and water quality in the locality.

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

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

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

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

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

16th September 2019

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

Surface water flood risk

As the site is less than 1ha and is in flood zone 1, a Flood Risk Assessment is not required. However, the Environment Agency produced Risk of Flooding from Surface Water map shows there is potential for surface water to accumulate in the basement area at the front of Sandford Park House. This should be mitigated with an appropriate drainage strategy.

Surface water management

The applicant has not provided a drainage strategy report or plan that outlines how they will be managing surface water from the site. These are required to allow the LLFA to fully assess the surface water management proposals. The following aspects should be considered.

Discharge strategy

The applicant must provide their preferred discharge strategy and explain how they have followed the discharge hierarchy. This is that infiltration takes preference, then discharge to a surface water body, then to a public storm sewer and finally a combined sewer. For any works on third party land, the applicant needs to supply agreement from the land owner and for connections to foul/combined sewers, the applicant must supply agreement from Severn Trent Water.

Discharge rates

The applicant must provide their proposed discharge rates. For brownfield sites, the discharge rate should be limited as close as reasonably practicable to the greenfield runoff rate. If this isn't viable then the development should provide a betterment of 40% over existing runoff rate. Please can the applicant provide their proposed discharge rate, including calculations, and, for comparison, the greenfield runoff rate for the site and an estimate of the existing runoff rate.

Drainage strategy and indicative plan

The applicant must, where necessary, provide a strategy for storing surface water and show the drainage strategy on an indicative plan. The Landscape Plan (PL019) appears to show the development will introducing green open spaces, which will help reduce the discharge rate, as well as permeable paving which can be used for infiltration or storage purposes. The applicant must explain how the permeable paving will function.

Evidence should be provided that the drainage strategy is capable of ensuring the site will not flood in a 1 in 30 year rainfall event and there will be no flooding to buildings in a 1 in 100 year event plus climate change.

Climate change

To ensure the drainage strategy is effective for the lifetime of the development, a 40% uplift on rainfall should be applied when calculating storage volumes to account for climate change. This is in line with the Environment Agency's latest estimates.

Exceedance flow paths

Exceedance flow paths are supposed to identify where surface water will flow across the site during rainfall events that exceed the design of the drainage. These will be dictated by the final topography of the site and should minimise the risk to people and property.

LLFA Recommendation

The applicant has not supplied a drainage strategy. In order for the LLFA to be able to assess the surface water management, this must be provided and should address the points outlined above. The LLFA recommends an objection until this information is provided and assessed by the LLFA.

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

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

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

Cheltenham Civic Society

5th November 2019

Design Concept

The panel had no objection to the principle of the development which provides opportunities to enhance the listed building and create a more attractive environment to the rear of the property.

Design Detail

The changes to the existing rear elevation of the house are positive enhancements. The 3 new dwellings to the rear are of a scale and character that fits in well with surrounding buildings.

Recommendation

Support.

GCC Highways Planning Liaison Officer

11th October 2019

The Highway Authority recommends that this application be refused for the following reasons:-

Insufficient evidence has been submitted to demonstrate that the proposed development can provide a safe and suitable access arrangement, gives priority to pedestrian and cycle movements, within the scheme and has addressed the needs of people with disabilities and reduced mobility in relation to all modes of transport and has demonstrated that the proposed development creates places that are safe, secure, and attractive which minimises the scope of conflicts between pedestrians, cyclists and vehicles contrary to paragraphs 108 and 110 of the NPPF2019.

5. PUBLICITY AND REPRESENTATIONS

Number of letters sent	36
Total comments received	6
Number of objections	6
Number of supporting	0
General comment	0

5.1 Letters of notification were sent to 36 neighbouring properties (including a number of flats), a site notice posted within the vicinity of the site and an advert placed in the Gloucestershire Echo. A total of 6 representations were received following the publicity and the comment/concerns raised are, in summary, as follows:-

- Loss of boundary hedge to car park
- Overlooking from proposed and existing windows, light pollution and loss of light, privacy to rear of properties in Corpus Street
- Parking congestion, increase in traffic and noise, disturbance and safety issues in Keynshambury Road and Corpus Street
- Overcrowding and increase in residential properties in an overpopulated area
- De-valuation of neighbouring houses prices
- Impact on character of conservation area

6. OFFICER COMMENTS

6.1 Determining Issues

6.2 The key issues are (i) the principle of a change of use to C3 (residential); (ii) design, scale and layout and their impact upon the historic fabric and character of the listed building and character and appearance of the conservation area; (iii) neighbour amenity; and (iv) parking and highway safety.

6.3 Principle/Policy Context

6.4 The relevant policy documents for consideration are the saved policies of the adopted Cheltenham Borough Local Plan (2006), the NPPF (2019) and the adopted Joint Core Strategy (2017) (JCS). The Council's adopted Supplementary Planning Document 'Residential Development on Garden land and Infill Sites: Cheltenham' (2009) is also relevant to the proposals.

6.5 Local Plan Policies EM2 (employment), CP7 (design requirements), CP4 (local amenity) and JCS Policies SD4, SD8 and SD10 are most relevant to the proposals. The corresponding policies of the emerging Cheltenham Plan are also relevant albeit the weight that can be attached to individual policies will be dependent on the stage reached in the plan's adoption and the level of objection received relevant to each policy.

6.6 The site lies within the Principal Urban Area (PUA) and in a sustainable location where the principle of new residential development on previously developed land is supported by Policy SD10 of the JCS, unless otherwise restricted by policies within District Plans. Housing development on other sites (including residential garden land) will be limited to infilling.

- 6.7** The site is within easy walking distance of the town centre and Central Shopping Area. The site must therefore be considered a sustainable location for residential development in the context of the NPPF. As such, subject to any heritage and employment matters, the principle of the redevelopment of this site for residential purposes is considered acceptable.
- 6.8** Footnote 7 of paragraph 11 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.
- 6.9** As at the time of writing, Cheltenham Borough Council cannot demonstrate a five-year supply of housing land with the latest figure (December 2019) set at 3.7 years. The proposal would provide for 15 additional dwellings which would make a modest and welcome contribution towards alleviating the shortfall. Paragraph 11(d) of the NPPF ('the titled balance') would therefore be engaged.
- 6.10** Saved policy EM2 of the Local Plan seeks to retain land that is currently or was last in use for employment purposes unless there are exceptions. Policy EM2 of the Local Plan states, in part, that:-

"A change of use of land and buildings in existing employment use, or if unoccupied to a use outside Use Classes B1, B2 or B8 inclusive will not be permitted, except where: buildings on the land were constructed and first occupied for residential use; or..."

- 6.11** There are other criteria which detail the exceptions to a presumption against the loss of existing employment uses but for the purposes of satisfying the policy only one criterion needs to be met. Nos 39-41 London Road were originally constructed as dwelling houses. The proposed change of use element to the proposals thus seeks to put the building back to its original use.
- 6.12** In light of the above, the principle of a change of use of the existing building to residential use/flats and the erection of new dwellings within the curtilage are considered acceptable in principle. However, the site specific issues and merits of the scheme, including the impact on the historic fabric/layout of the listed building, neighbour amenity, the number of units proposed (both internally and within the curtilage) and the layout, design and scale of the proposed news houses require careful consideration.

6.13 Design and layout

- 6.14** Paragraph 124 of the NPPF sets out that good design is a key aspect to achieving sustainable places, and creating better places in which to live. Paragraph 127 goes on to set out that development should add to the overall quality of the area, be visually attractive, and be sympathetic to local character. Policy SD4 of the JCS and saved Local Plan policy CP7 require development to be of a high standard of architectural design that responds positively to and respects the character of the site and its surroundings.
- 6.15** Statutorily, the Council is required, pursuant to section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, to preserve or enhance the character and appearance of conservation areas. Policy SD8 of the JCS and section 16 of the NPPF also provide guidance with regard to development within the historic environment. They advocate development that sustains and enhances the significance of heritage assets and putting them to viable uses consistent with their conservation.
- 6.16** Paragraphs 193/4 of the National Planning Policy Framework states:-

"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... This is irrespective of whether any potential harm amounts to substantial harm, total loss

or less than substantial harm to its significance....Any harm to, or loss of, the significance of a designated heritage asset....should require clear and convincing justification'.

- 6.17** The proposals include the change of use and sub-division of the principal listed building to create 12 self-contained, one, two and three bedroom apartments. Three, two bedroom, terraced mews style houses are proposed within the rear curtilage plus parking and refuse storage facilities for the proposed flats. The existing parking and vehicular access arrangements located at the front of the property are retained with some minor alterations to improve the parking layout.
- 6.18** The existing building has undergone substantial internal alterations, redecoration and extensive stripping out, likely as part of the original office conversion, which means that very few original features survive. Many of the office partitions and suspended ceilings have also been removed recently in preparation for its potential conversion to residential accommodation. The proposed works also include the removal of the poorly proportioned lift shaft/rear extension and the raising of floor levels in the later rear extension to align with the first and second floors. The proposals seek therefore to respond and re-introduce as much as possible of the original plan form and historic features/character of the principal listed building and its curtilage structures.
- 6.19** Other proposed demolition work is restricted to small parts of the modern additions and removal of modern partitions. Various new internal openings and windows to basement light wells are proposed along with the removal and blocking up of existing windows within the later additions. New windows replace a number of existing openings on the rear elevation and these would be of a similar scale and proportion to the existing upper ground floor windows and designed to replicate the existing timber sash windows.
- 6.20** The proposed mews houses have been designed to reflect the scale, form and general appearance of existing development in Keynshambury Road, particularly the two storey flat roofed houses opposite the site. Each of the proposed dwellings has an enclosed rear garden with bin store to the side of the front entrance and off road parking for one vehicle. The materials palette consists of brickwork for the ground floors and painted render above. The projecting bays to the front elevation would be clad in Marley Equitone to add a contemporary feel.
- 6.21** The Conservation Officer considers the proposed works to the principal listed building sympathetic; inappropriate features are removed alongside the retention of what is of interest and the reinstatement of some lost features. The proposed layout (as revised) also responds well to the historic plan form of the original semi-detached pair of houses. Similarly, the impact on the setting of the listed building is not considered to be harmed by the proposals.
- 6.22** Officers acknowledge that development of the scale and footprint proposed within the rear curtilage of a listed building would normally raise concerns. However, in this case, there are factors which mitigate any potential harm to setting and character. The setting of the listed building has already been compromised by the extensive hard surfacing of the rear curtilage to provide a car park. The long rear curtilage could more easily accommodate new development with an acceptable separation distance from the rear elevation and without impacting significantly on the setting or amenities of the listed building; the existing rear elevation already compromised by a modern rear extension that hides the original. The proposed mews houses also benefit from having a street frontage and separate vehicular access via Keynshambury Road.
- 6.23** The Civic Society is also supportive of the scheme; the changes to the existing rear elevation of the listed building are positive enhancements and the three new dwellings to the rear are of a scale and character that fits in well with surrounding buildings.

6.24 Cumulatively, the above factors make the scheme acceptable in terms of their impact upon the character and setting of the listed building and character and appearance of the wider conservation area. The proposals thus adhere to the objectives of policies CP3 and CP7 of the Local Plan and policies SD4 and SD8 of the JCS.

6.25 Impact on neighbouring property

6.26 Paragraph 127 of the NPPF requires development to be of a high standard of amenity for existing and future users. Policy SD14 of the JCS and saved Local Plan policy CP4 requires development not to cause unacceptable harm to the amenity of adjoining land users and the locality.

6.27 A number of local residents have raised concerns regarding the potential for overlooking and loss of privacy and light affecting neighbouring properties. These concerns are duly noted and relate to both the proposed mews houses and the flats within the listed building.

6.28 The rear elevations of the proposed mews houses would be positioned between 8-11 metres from the west site boundary and approximately 19.5-22 metres from the nearest first floor rear windows of properties in Corpus Street. Although these separation distances are not wholly policy compliant, all first floor openings of the proposed mews houses are shown as either obscurely glazed or would be fitted with louvres and an inward only opening mechanism. As such, the potential for overlooking into the rear of properties in Corpus Street should be minimal/negligible. Officers are also mindful of 'permitted development rights' and the ability to erect a two storey rear extension (up to 3 metres in depth) to within 7 metres of a rear boundary.

6.29 A number of upper floor windows in the rear of the listed building would also be obscurely glazed. In addition, the majority of existing openings in the rear elevation would be retained with no net gain in windows; albeit some proposed openings on the east side of the rear elevation (furthest from Corpus Street) are larger, replacement windows. Again, the distance between the nearest upper floor windows in the rear of the listed building and the nearest point on the west boundary is approximately 7.5 metres; and the distance to the rear elevations of three nearest houses in Corpus Street ranges between 17.5-25 metres. It is important to note that, due to the orientation of the listed building, these distances are measured at an angle and therefore oblique views only of Nos 18-22 Corpus Street would be possible from the rear of the listed building which reduces further the potential for overlooking.

6.30 In addition, a light test has been carried out and confirms that there would be no significant loss of light and/or shading of gardens in Corpus Street.

6.31 Residents have also raised concern regarding the potential for an increase in flood risk. The application site is located within Flood Zone 1 and is less than 1 ha; therefore a Flood Risk Assessment (FRA) was not required. However, the Local Lead Flood Authority (LLFA) have referred to the Environment Agency's surface water maps which indicate that there is potential for surface water to accumulate in the basement area at the front of Sandford Park House. The LLFA has confirmed that the submitted drainage strategy would provide adequate mitigation for potential flooding within the basement and the management of surface water elsewhere from the site. The response from the LLFA is set out in full in section 4 above.

6.32 After careful consideration of all the above factors and site characteristics, officers consider the proposals would not result in significant harm to the amenities of occupiers of neighbouring properties. The proposals are thus broadly policy compliant from an amenity perspective.

6.33 Access and highway issues

6.34 Off road parking for 19 vehicles (including 2 no. disabled parking spaces) is provided for the 12 proposed flats plus three off road spaces for the mews houses. Given the town centre location and scale of development proposed, this is considered an acceptable level of parking provision. Revised plans were submitted to address the initial concerns of the Highway Authority. The revised parking layout, access arrangements and visibility splays are considered acceptable and GCC have provided no further comment on these matters.

6.35 Other considerations

6.36 Affordable Housing

6.37 The proposed development triggers the requirement to provide affordable housing in accordance with Policy SD12 of the JCS. Therefore, in order for the scheme to be policy compliant, a minimum of 40% affordable housing should be sought and, in this case, an on-site provision (in part) is considered appropriate.

6.38 The scheme as first submitted did not include any provision for affordable housing. Following negotiations between the Council's Housing Enabling Officer and applicant agreement has been reached on a policy compliant 40% affordable housing provision equating to 6 units.

6.39 Given the layout of the proposed flats within the listed building and the anticipated management implications for any Registered Provider (RP), the Housing Enabling Officer has agreed with the applicant that the Council would not seek to allocate any of the affordable units within the listed building. Alternatively, the three proposed mews houses would be allocated as affordable units (2 x affordable rented and 1 x shared ownership). The remaining affordable units (rented) would be provided as an off-site contribution by way of a commuted sum.

6.40 The applicant has agreed in writing to enter into a s106 Agreement to secure the provision of the above affordable housing requirement.

7. CONCLUSION AND RECOMMENDATION

7.1 The development plan currently in force is out of date due to a shortfall in the five-year supply of housing land. The proposal has therefore been assessed against the guidance contained within the NPPF. Paragraph 11(d) of the NPPF applies a presumption in favour of sustainable development unless:-

- i) 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.

7.2 This application has been considered carefully within the context of Policies SD4, SD14, and SD8 of the JCS, corresponding relevant Local Plan Policy, SPD guidance and NPPF policy. In carrying out an objective assessment of the proposals, officers have also had to balance the conflict between infilling/sub-dividing the rear curtilage of a listed building against a modest but positive contribution the proposal could make towards the Council's housing land supply. The scheme is also policy compliant in terms of affordable housing provision with the addition of much needed affordable housing units in a town centre location. There are also the economic benefits that the construction programme might bring.

- 7.3** The proposed development achieves an acceptable standard of architectural design and despite the contemporary style of the mews houses, would not appear as an incongruous addition to the street scene. The proposed alterations and conversion works to the listed building minimise loss of historic fabric, reinstate historical features and respond well to the historic plan form and layout of the listed building. As such, the proposals should complement and respect neighbouring development in both scale and appearance and should not result in significant harm to the significance of designated heritage assets. The proposals thus adhere to policy CP7 of the Local Plan and policies SD4 and SD8 of the JCS.
- 7.4** Similarly, the potential for harm to the amenities of occupiers of neighbouring properties has been addressed by way of appropriate fenestration detail and there are no parking or highway safety concerns.
- 7.5** For the reasons set out above, it is recommended that planning permission and listed building consent be granted subject to the following conditions (all pre-commencement conditions having been agreed with the applicant) and the applicant entering into a s106 Agreement to secure the required provision of affordable housing.

8. CONDITIONS / INFORMATIVES

19/01735/FUL

- 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 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:

- i) New and replacement windows and external doors (details shall include but not be limited to, materials, finish, elevations to a scale of 1:10 or similar and cross sectional details (showing glazing bars and opening mechanism) to a scale of 1:2 or similar).
- ii) Balustrades
- iii) Retaining wall structures and ramp
- iv) Refuse/recycling store
- v) Rainwater goods
- vi) Gates to rear car park
- vii) New/replacement external steps

Reason: To preserve or enhance the character or appearance of the Conservation Area, having regard to saved policies CP3 and CP7 of the Cheltenham Borough Local Plan (2006), adopted policies SD4 and SD8 of the Joint Core Strategy (2017), Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, and Historic Environment Good Practice Advice Note 2.

- 4 No minor ancillary associated works such as vents, flues, pipework, meter boxes, insulation, or works associated with building regulations or fire regulations or other similar works shall be implemented unless carried out in accordance with details which shall have first been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of the special architectural and historic qualities of the Listed Building, having regard to Policy SD8 of the Joint Core Strategy 2017 and Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990, Chapter 16 of the National Planning Policy Framework and Historic Environment Good Practice Advice (note 2).

- 5 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 saved policy CP7 of the Cheltenham Borough Local Plan (2006) and adopted policy SD4 of the Joint Core Strategy (2017).

- 6 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 identify all walls, fences, trees, hedgerows and other planting which are to be retained, and provide details of all new walls, fences, or other boundary treatments; finished ground levels; new hard surfacing of open parts of the site which shall be permeable or drained to a permeable area; 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 five years from the date of planting, die, are removed or become seriously damaged, diseased or dying shall be replaced during the next planting season with other trees or plants of a location, species and size which shall be first agreed in writing by the Local Planning Authority. All hard landscape works shall be permanently retained in accordance with the approved details [delete if not appropriate].

Reason: In the interests of the character and appearance of the area, having regard to saved policies CP7, GE5 and GE6 of the Cheltenham Borough Local Plan (2006), and adopted policies SD4 and INF3 of the Joint Core Strategy (2017). Approval is required upfront because the landscaping is an integral part of the development and its acceptability.

- 7 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 unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of the character and appearance of the area, having regard to saved policy CP7 of the Cheltenham Borough Local Plan (2006), and adopted policy SD4 of the Joint Core Strategy (2017).

- 8 Prior to first occupation of the development, parking and turning facilities shall be provided in accordance with the approved plans. Such areas shall not be used for any purpose other than the parking and turning of vehicles and shall remain free of obstruction for such use at all times.

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

- 9 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 access 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).

- 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 Prior to the occupation of the building(s) hereby permitted, the proposed car parking spaces for the proposed flats shall be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations, the details of which shall have first been submitted to and approved in writing by the Local Planning Authority.

Reasons: To ensure that the development incorporates facilities for charging plug-in and other ultra-low emission vehicles in accordance with paragraph 110 of the National Planning Policy Framework.

- 12 Prior to the commencement of development, including any works of demolition or site clearance, a Construction Method Statement shall be submitted to and approved in writing by the Local Planning Authority.

The approved method statement shall be adhered to throughout the development process and shall, where necessary:

- i) specify the type and number of vehicles expected during the construction of the development;
- ii) allocate space for the parking of vehicles for site operatives and visitors;
- iii) allocate space for the loading and unloading of plant and materials;
- iv) allocate space for the storage of plant and materials used in constructing the development;
- v) specify the intended hours of construction;
- vi) specify measures to control the emission of noise, dust and dirt during construction;

- vii) provide for wheel washing facilities; and
- viii) specify the access points to be used and maintained during the construction phase.

Reason: To minimise disruption on the public highway and to adjacent land users, and accommodate the efficient delivery of goods and supplies during the course of the construction works, having regard to adopted policy INF1 of the Joint Core Strategy (2017). Approval is required upfront because without proper mitigation the works could have an unacceptable highway impact during construction.

- 13 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 saved policies CP4 and CP7 of the Cheltenham Borough Local Plan (2006) and adopted policies SD4 and SD14 of the Joint Core Strategy (2017).

- 14 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 additional windows, doors and openings shall be formed in the development hereby approved without express planning permission.

Reason: Any further openings require detailed consideration to safeguard the privacy of adjacent properties, having regard to saved policy CP4 of the Cheltenham Borough Local Plan (2006) and adopted policy SD14 of the Joint Core Strategy (2017).

- 15 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 windows on the rear elevations of Plots 1-3 shall at all times be non-opening and glazed with obscure glass to at least Pilkington Level 3 (or equivalent) or fitted with fixed louvres and a restricted internal opening mechanism (as shown on the approved drawings) details of which shall have first been submitted to and approved in writing by the Local Planning Authority prior to their installation.

Reason: To safeguard the amenities of adjacent properties, having regard to saved policy CP4 of the Cheltenham Borough Local Plan (2006) and adopted policy SD14 of the Joint Core Strategy (2017).

- 16 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 side window of Plot 1 and all proposed bathroom and stairwell windows in the rear (west) elevation of the listed building 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 saved policy CP4 of the Cheltenham Borough Local Plan (2006) and adopted policy SD14 of the Joint Core Strategy (2017).

- 17 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.

- 18 No development shall commence on site until a detailed Sustainable Drainage System (SuDS) Strategy document has been submitted to and approved in writing by the Local Planning Authority. The Strategy should be in accordance with the proposals set out in the Drainage Strategy Statement - Revision P1 (dated October 2019) received 25th October 2019. The SuDS Strategy must include a detailed design and demonstrate the technical feasibility/viability of the drainage system through the use of SuDS to manage the flood risk to the site and elsewhere and the measures taken to manage the water quality for the life time of the development. The development shall not be carried out unless in accordance with the approved surface water drainage scheme.

Reason: To ensure 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.

- 19 The development shall be brought in to use/occupied until a SuDS management and maintenance plan for the lifetime of the development, which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime, has been submitted to and approved in writing by the Local Planning Authority. The approved SUDS maintenance plan shall be implemented in full and in accordance with the agreed terms and conditions.

Reason: To ensure long terms sustainable drainage of the development, having regard to adopted policy INF2 of the Joint Core Strategy (2017).

- 20 Prior to the commencement of development, a demolition and/or construction management plan shall be submitted to and approved in writing by the Local Planning Authority. The demolition and/or construction plan shall include measures to control noise, dust, vibration and other nuisance during the demolition and/or construction phase. No demolition or construction shall be carried out unless in accordance with the approved details.

Reason: To safeguard the amenity of adjacent properties and the general locality, having regard to saved policy CP4 of the Cheltenham Borough Local Plan (2006) and adopted policy SD14 of the Joint Core Strategy (2017). Approval is required upfront because without proper mitigation the use could have an unacceptable environmental impact on the area.

- 21 Prior to the commencement of development, plans showing the existing and proposed ground levels and slab levels of the proposed and adjacent buildings shall be submitted to and approved in writing by the Local Planning Authority. 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 saved policies CP4 and CP7 of the Cheltenham Borough Local Plan (2006) 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.

19/01735/LBC

- 1 The listed building consent 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 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 The listed building consent 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 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:

- i) New and replacement windows and external doors (details shall include but not be limited to, materials, finish, elevations to a scale of 1:10 or similar and cross sectional details (showing glazing bars and opening mechanism) to a scale of 1:2 or similar).
- ii) Balustrades
- iii) Retaining wall structures and ramp
- iv) Refuse/recycling store
- v) Rainwater goods
- vi) Gates to rear car park
- vii) New/replacement

Reason: To preserve or enhance the character or appearance of the Conservation Area, having regard to saved policies CP3 and CP7 of the Cheltenham Borough Local Plan (2006), adopted policies SD4 and SD8 of the Joint Core Strategy (2017), Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, and Historic Environment Good Practice Advice Note 2.

- 4 No minor ancillary associated works such as vents, flues, pipework, meter boxes, insulation, or works associated with building regulations or fire regulations or other similar works shall be implemented unless carried out in accordance with details which shall have first been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of the special architectural and historic qualities of the Listed Building, having regard to Policy SD8 of the Joint Core Strategy 2017 and Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990, Chapter 16 of the National Planning Policy Framework and Historic Environment Good Practice Advice (note 2).

- 5 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 saved policy CP7 of the Cheltenham Borough Local Plan (2006) and adopted policy SD4 of the Joint Core Strategy (2017).

- 6 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 identify all walls, fences, trees, hedgerows and

other planting which are to be retained, and provide details of all new walls, fences, or other boundary treatments; finished ground levels; new hard surfacing of open parts of the site which shall be permeable or drained to a permeable area; 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 five years from the date of planting, die, are removed or become seriously damaged, diseased or dying shall be replaced during the next planting season with other trees or plants of a location, species and size which shall be first agreed in writing by the Local Planning Authority. All hard landscape works shall be permanently retained in accordance with the approved details [delete if not appropriate].

Reason: In the interests of the character and appearance of the area, having regard to saved policies CP7, GE5 and GE6 of the Cheltenham Borough Local Plan (2006), and adopted policies SD4 and INF3 of the Joint Core Strategy (2017). Approval is required upfront because the landscaping is an integral part of the development and its acceptability.

- 7 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 unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of the character and appearance of the area, having regard to saved policy CP7 of the Cheltenham Borough Local Plan (2006), and adopted policy SD4 of the Joint Core Strategy (2017).

- 8 All disturbed surfaces shall be made good using materials to match the existing materials, composition, form, finish and colour of the existing building.

Reason: In the interests of the special architectural and historic qualities of the listed building, having regard to saved policy CP3 of the Cheltenham Borough Local Plan (2006), adopted policy SD8 of the Joint Core Strategy (2017), Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990, and Historic Environment Good Practice Advice Note 2.

- 9 A schedule of repair for works, to include a method statement, shall be submitted to and approved in writing by the Local Planning Authority. The works shall not be carried out unless in accordance with the details so approved.

Reason: In the interests of the special architectural and historic qualities of the Listed Building, having regard to Policy SD8 of the Joint Core Strategy 2017 and Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990, Chapter 16 of the National Planning Policy Framework and Historic Environment Good Practice Advice (note 2).

APPLICATION NO: 19/01735/FUL		OFFICER: Mrs Lucy White	
DATE REGISTERED: 12th September 2019		DATE OF EXPIRY : 12th December 2019	
WARD: Charlton Park		PARISH:	
APPLICANT:	Ceres Estates		
LOCATION:	Sandford Park House, 39 - 41 London Road, Cheltenham		
PROPOSAL:	Change of use and refurbishment of Sandford Park House to provide 12 no. apartments, associated external improvement works and erection of 3 no. dwellings in rear curtilage.		

REPRESENTATIONS

Number of contributors	6
Number of objections	6
Number of representations	0
Number of supporting	0

1 Keynshambury Road
Cheltenham
Gloucestershire
GL52 6HB

Comments: 2nd October 2019

We have a number of concerns, and would like to object to the proposed plan to build 3 new dwellings and also the parking plans for Sandford Park House.

Our current outlook is across tall green hedges which maintains our privacy from the current car park opposite to our house. The proposed 3 dwellings are clearly in very close proximity to the road and will disturb our current privacy greatly and will, in our opinion provide a negative line of vision.

This is currently a quiet road (in a quiet neighbourhood) with many people walking up through from the mews in the road, which already has very limited parking, with the majority of the road having double yellow parking lines. The proposed 3 dwellings and parking for the Sandford Park house development will clearly increase traffic to our small and narrow road, putting peoples safety at risk, and will inevitably cause parking issues (never mind people turning round in driveways etc).

This is in addition to the increased noise and disturbance in a quiet conservation area.

Finally, we have never been consulted or communicated to around the change of use and we had no idea you were going to build flats/new dwellings This is an already overcrowded area and we would like to protect our privacy, safety of fellow neighbours in our street and maintain the balance of the area.

21 Corpus Street
Cheltenham
Gloucestershire
GL52 6EZ

Comments: 2nd October 2019

Object to the 3 mews due to amenities. Parking is inadequate for corpus street residents currently. As we are not allowed to apply for a parking permits in the nearby AS zone the free parking necessary for flats as well as the mews will mean a lack of parking for Corpus Street

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residents. I feel we will also be overlooked by the mews which will negatively impact on our house price and other Corpus Street residents.

17 Corpus Street
Cheltenham
Gloucestershire
GL52 6EZ

Comments: 4th October 2019

I write with reference to your letter of 12th September 2019 in which you outline the change of use and refurbishment of Sandford Park House to provide 12 no. apartments, associated external improvement works and erection of 3 no. dwellings in rear curtilage at Sandford Park House 39-41 London Road.

I have lived in Corpus Street for 12 years and one of the main reasons of choosing this to be our home was the fact that it was quiet neighbourhood in a safe area with off-street parking (as well as several spaces at the bottom and top of the street). Our children were born shortly after and we knew that it would continue to be a wonderful place to stay and raise our family as it was peaceful and we were not overlooked.

Perhaps it is of no great surprise to you, therefore, to hear that your letter concerns my husband and me very much and we oppose the application. Our garden backs on to Keynshambury Road and therefore, the 3 dwellings will be a concern. However, the greater issue is the 12 apartments, which will overlook our garden and only increase noise and light pollution, not to mention the increase of traffic and possible parking issues in an already populated area.

I eagerly await details of the next stage of the planning proposal.

16 Corpus Street
Cheltenham
Gloucestershire
GL52 6EZ

Comments: 30th September 2019

I have several concerns about this development. Although the plans for the new mews houses have some shutters for privacy there are windows that appear to look directly across the gardens and into the back windows of corpus Street houses. In addition to this there has been no attempt to provide any privacy for the residents of corpus Street from the block of flats causing the gardens and back windows to be extremely overlooked. There is already a big problem with parking in the area and the plans don't appear to address this adequately which will make parking for current residents all the more difficult.

With 15 more dwellings proposed the currently relatively peaceful neighbourhood could become more crowded and noisy.

16 Corpus Street
Cheltenham
Gloucestershire
GL52 6EZ

Comments: 2nd October 2019

1) privacy the new flats and buildings will directly overlook my home. They will all be able to see into my family garden. The new homes will be able to see into my bathroom, kitchen and bedroom. This is a large invasion of privacy.

2) noise and light pollution

The plans will cause a great deal of noise pollution. This will be from the cars and occupants in the buildings. We have walled gardens and can already hear the buolders. The noise from the occupants will resonate through our gardens to the back of our homes.

The light produced by the new homes will directly effect our gardens and the back of our houses.

3) parking

Parking is reallly poor in our area, we already have to park streets away and walk with our shopping etc. The new homes will bring multiple cars and there is only one space each of the new homes and only one visitors space for the apartments.

The main road is very busy already and so the new quantity of cars will make the busy road worse and will increase air pollution.

4) The new homes will have a big impact visually on our homes. It will block sunlight to our gardens and the view from our back garden and the windows at the back of our house.

14 Corpus Street
Cheltenham
Gloucestershire
GL52 6EZ

Comments: 3rd October 2019

We have had many parking problems in this area, , each will have at least 2 parking spaces, 3 houses 2/3 cars may be. This will have a massive impact on parking:

The houses erected some 10 or so years ago effected all the residence of Corpus Street we all lost our parking space in favour of the new homes.

Since the houses 14-22 have a conservation order on them, it seems the council do very little to help home owners preserve what they label "conservation"

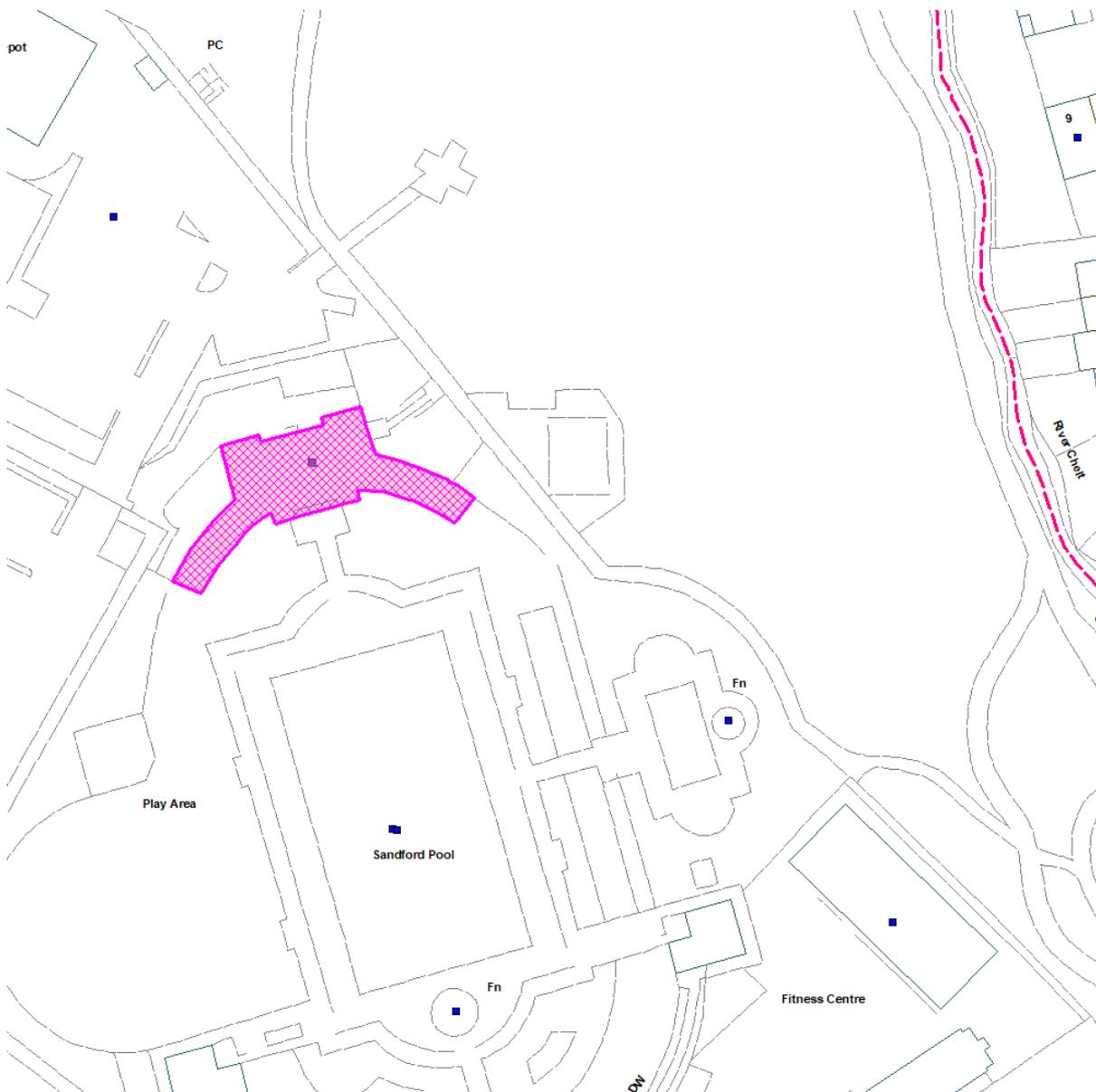
What does it mean if your property is in a conservation area?

A conservation area is an area of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance. This means that when a conservation area is designated, the Council has recognised that the area has a special character and identity which is worth protecting.

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APPLICATION NO: 19/02430/LBC	OFFICER: Mr Chris Morris
DATE REGISTERED: 10th December 2019	DATE OF EXPIRY: 4th February 2020
DATE VALIDATED: 10th December 2019	DATE OF SITE VISIT:
WARD: College	PARISH:
APPLICANT: Sandford Parks Lido	
AGENT: Hook Mason Limited	
LOCATION: Sandford Lido, Keynsham Road, Cheltenham	
PROPOSAL: Minor internal alterations to the cafe foyer and servery entrance within the existing building.	

RECOMMENDATION: Grant



1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The site is located at Sandford Park Lido, Keynsham Road, Cheltenham. It has been recently listed grade and is also within the Central Conservation Area: St. Luke's Character Area.
- 1.2 The proposed works are for minor internal alterations to a wall and ceiling of the cafe foyer and servery entrance within the existing café building.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Airport Safeguarding over 45m
Conservation Area
Flood Zone 2
Listed Buildings Grade 2
Principal Urban Area
Smoke Control Order

Relevant Planning History:

18/00926/PREAPP 3rd July 2018 CLO

Alterations and extension to existing changing facilities

19/01983/PREAPP 23rd October 2019 CLO

Various works - change doors to offices, re tile childrens pool and changes to boilers

01/00489/ADV 29th May 2001 GRANT

Repositioning of existing sign

85/01028/PF 24th October 1985 PER

Sandford Lido Overflow Car Park Cheltenham Gloucestershire - Alterations To Form Picnic Area/Play Area And Use Of Part Area For Roller Skating

87/01250/AN 17th December 1987 REF

Cheltenham Swimming Pool Cheltenham Gloucestershire - Display Of Non Illuminated Advertisement

87/01490/PF 25th February 1988 REF

Sandford Park/College Road Cheltenham Gloucestershire - Relocation Of Existing 2.4m High Security Fence And Re-Alignment Of Existing Footpath

89/01328/PF 23rd November 1989 WDN

Re-Location Of 2.4m High Security Fence And Re-Alignment Of Footpath

96/00749/CD 17th October 1996 WDN

Removal Of Iron Railings On Section Of North East Boundary

98/01109/PF 10th December 1998 PER

Erection Of A Health And Fitness Studio With Associated Car Parking.

99/00187/AN 22nd April 1999 PER

Display Of 3 No. Non-Illuminated Advertisement Signs

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09/00116/CONF 31st March 2009 CONFIR

Confirmation of Tree Preservation Order 662: 1 x Cedar and 1 x Lime

09/00408/CACN 20th April 2009 NOOBJ

All priority 1 and 2 works as per Tree Report dated February 2009 - please view application online for full details

10/01984/CACN 11th January 2011 NOOBJ

1) Silver Birch T8 - remove. 2) Sycamore T11 - fell. 3) Willow T36 - pollard

11/01860/CACN 23rd December 2011 NOOBJ

Various tree works as per work specification and plan received and dated 20th December 2011

13/00339/CACN 3rd April 2013 NOOBJ

Various tree works-according to plan and schedule submitted

13/00340/TPO 7th March 2013 NOTREQ

Lime Tree T31 - removal of major deadwood

13/01359/CACN 5th August 2013 NOOBJ

Five Day Notice for felling: 3 Yew trees within carpark of adjacent gym – fell

15/00706/CACN 23rd April 2015 NOOBJ

Permission works on trees 15,16,29,50,51,52

18/00607/CACN 27th March 2018 NOOBJ

Tree surgery and felling within Sandford Parks Lido as per TreeKing Consulting report of March 2018

18/02054/FUL 28th November 2018 PER

Installation of a mobile sauna (retrospective)

19/00865/CACN 7th May 2019 NOOBJ

Various tree works- as per survey submitted with application

19/00911/TPO 7th May 2019 PER

T28-cedar-formative pruning as specified in tba report attached

19/02122/LBC 9th December 2019 GRANT

Replace PVC liner to small children's swimming pool with tiles.

19/02438/FUL PDE

Siting of a Portakabin to be used as an office, including welfare facilities.

19/02438/LBC PDE

Siting of a Portakabin to be used as an office, including welfare facilities.

3. POLICIES AND GUIDANCE

National Planning Policy Framework

Section 16 Conserving and enhancing the historic environment

Saved Local Plan Policies

None applicable

Adopted Joint Core Strategy Policies

SD8 Historic Environment

Supplementary Planning Guidance/Documents

None applicable.

4. CONSULTATIONS

Building Control

22nd January 2020

The application will require Building Regulations approval. Please contact Cheltenham and Tewkesbury borough council on 01242 264321 for further information.

5. PUBLICITY AND REPRESENTATIONS

Number of letters sent	1
Total comments received	0
Number of objections	0
Number of supporting	0
General comment	0

- 5.1 A site notice was placed near the site and an advertisement was placed in the Gloucestershire Echo.
- 5.2 No comments were received.

6. OFFICER COMMENTS

- 6.1 It is important to consider the wider policy background to this application which includes the Planning (Listed Building and Conservation Area) Act 1990 and the National Planning Policy Framework 2019 (NPPF), as well as local policies in the Cheltenham Borough Local Plan (2006) and the Joint Core Strategy (2017).
- 6.2 Section 16(2) of the Planning (Listed Building and Conservation Area) Act 1990 states, "In considering whether to grant listed building consent for any works the local planning authority... shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses."
- 6.3 A core principle of the National Planning Policy Framework 2019 (NPPF) is heritage assets be conserved in a manner appropriate to their significance. Chapter 16, paragraphs 193-196 set out the framework for decision making with applications relating to heritage assets. This assessment takes account of the relevant considerations in these paragraphs.

- 6.4** Local planning authorities are required by Paragraph 192 of the NPPF requires a to identify and assess the particular significance of any heritage asset... taking into account the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation.
- 6.5** Paragraph 193 of the NPPF states, “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.”
- 6.6** The site is located at Sandford Park Lido, Keynsham Road, Cheltenham. It has been recently listed grade and is also within the Central Conservation Area: St. Luke’s Character Area. Sandford Park Lido was constructed between 1934-1938 by Borough Engineer, G. Gould Marsland, with the advice of Mr Edward White, President of the Landscape Architects Association. The café affected by the proposed works were part of the original designs for the lido and constructed in 1936. The proposed works are for minor internal alterations to a wall and ceiling of the cafe foyer and servery entrance within the existing café building.
- 6.7** The proposed alteration will result in minimal impact on the special architectural interest of the lido and the contribution that the café interior makes to that significance. It entails slightly widening the existing opening between the foyer and the servery and removal of a 1980s lowered ceiling. This will enable the internal volume to be partly restored and integrated into the main café space.
- 6.8** The proposed works are considered to sustain the designated heritage assets and therefore comply with Section 16 of the Planning (Listed Building and Conservation Area) Act 1990, Chapter 16 of the National Planning Policy Framework and Policy SD8 of the Joint Core Strategy 2017 and Local Plan policies.

7. CONCLUSION AND RECOMMENDATION

- 7.1** It is recommended the application be granted by Planning Committee with conditions.

8. CONDITIONS / INFORMATIVES

- 1 The listed building consent 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 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 The listed building consent 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 All disturbed surfaces shall be made good using materials to match the existing materials, composition, form, finish and colour of the existing building.

Reason: In the interests of the special architectural and historic qualities of the listed building, having regard to saved policy CP3 of the Cheltenham Borough Local Plan (2006), adopted policy SD8 of the Joint Core Strategy (2017), Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990, and Historic Environment Good Practice Advice Note 2.

INFORMATIVES

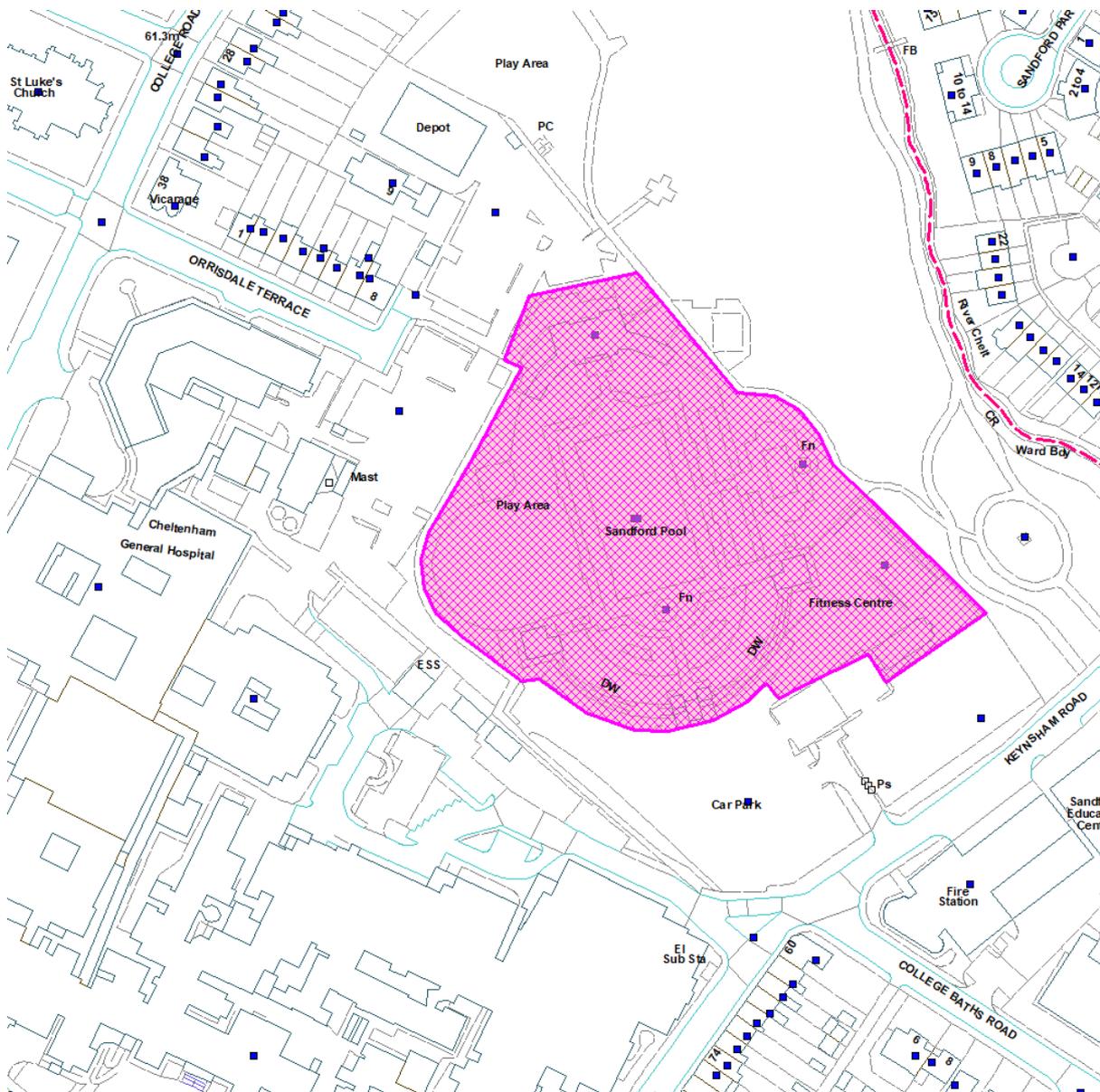
- 1 In accordance with the requirements of The Town and Country Planning (Development Management Procedure) (England) Order 2015 and the provisions of the NPPF, the Local Planning Authority adopts a positive and proactive approach to dealing with planning applications and where possible, will seek solutions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

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

In this instance, having had regard to all material considerations, the application constitutes sustainable development and has therefore been approved in a timely manner.

APPLICATION NO: 19/02438/FUL & 19/02438/LBC	OFFICER: Miss Claire Donnelly
DATE REGISTERED: 12th December 2019	DATE OF EXPIRY: 6th February 2020
DATE VALIDATED: 12th December 2019	DATE OF SITE VISIT: 17th December 2019
WARD: College	PARISH: n/a
APPLICANT:	Sandford Parks Lido
AGENT:	n/a
LOCATION:	Sandford Lido, Keynsham Road, Cheltenham
PROPOSAL:	Siting of a Portakabin to be used as an office, including welfare facilities.

RECOMMENDATION: Permit & Grant



1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The application relates to Sandford Parks Lido; the application site is within the grounds of the Lido, to the south east of the site. The Sandford Parks Lido is grade II listed, as well as a number of associated outbuildings. The site is located within the St Lukes Character Area of Cheltenham's Central Conservation Area.
- 1.2 The applicant is seeking planning permission and listed building consent for the siting of a Portakabin to be used as an office including welfare facilities. The site is located on the site of a gym building which has now been demolished.
- 1.3 The application is before planning committee as the application site is on Council owned land.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Airport Safeguarding over 45m
Conservation Area
Flood Zone 2
Listed Buildings Grade 2
Principal Urban Area
Smoke Control Order

Relevant Planning History:

98/01109/PF **10th December 1998** **PER**
Erection Of A Health And Fitness Studio With Associated Car Parking.

3. POLICIES AND GUIDANCE

National Planning Policy Framework

Section 2 Achieving sustainable development
Section 4 Decision-making
Section 8 Promoting healthy and safe communities
Section 12 Achieving well-designed places
Section 16 Conserving and enhancing the historic environment

Adopted Joint Core Strategy Policies

SD4 Design Requirements
SD8 Historic Environment
SD14 Health and Environmental Quality

Saved Local Plan Policies

CP 3 Sustainable environment
CP 4 Safe and sustainable living
CP 7 Design

Supplementary Planning Guidance/Documents

Central conservation area: St. Luke's Character Area and Management Plan (July 2008)

4. CONSULTATIONS

Building Control

13th December 2019

The application will require Building Regulations approval. Please contact Cheltenham and Tewkesbury Building Control on 01242 264321 for further information.

Heritage And Conservation

30th January 2020

The proposed portakabin is located within a service yard and staff carpark of Sandford Park Lido. Notably the proposed portakabin replaces a larger portakabin that existed in this location until its demolition April 2019. It is a relatively discreet location, set away from any prominent views where it might be seen in the context of the historic part of the main Sandford Park Lido building. The portakabin will however be seen in the context of the historic plant room. Given the relatively discreet location and a larger portakabin until recently existed here no objection is raised over the proposed works. The proposed works are therefore considered to sustain the designated heritage assets and therefore comply with Section 16 of the Planning (Listed Building and Conservation Area) Act 1990, Chapter 16 of the National Planning Policy Framework and Policy SD8 of the Joint Core Strategy 2017.

Cheltenham Civic Society

3rd February 2020

OBJECT

The proposed Portakabin will be positioned in the curtilage of a listed building (the history of which is very well documented in the application). It is likely to be visible from Sandford Park where the LINC garden has recently been re-landscaped to a high specification. The Civic Society Planning Forum is concerned that the application does not specify a time limit for this temporary building. The application only includes a suggested appearance of a generic Portakabin. This is inadequate.

Is it not possible for the Lido Trust to bring an existing building back into use? Alternatively, there are other prefabricated structures which could be more in keeping with the Lido setting.

The Civic Society would be happy to meet with the Lido Trust to help devise some better solutions.

5. PUBLICITY AND REPRESENTATIONS

- 5.1 A site notice has been displayed at the entrance of the site, and an advert has been placed in the Gloucestershire Echo; no responses have been received.

6. OFFICER COMMENTS

6.1 **Determining Issues**

- 6.2 The key considerations in relation to this application are the design, the impact on the listed building and conservation and any impact on neighbouring amenity.

6.3 Design

- 6.4 Policy SD4 of the JCS and saved Local Plan policy CP7 require development to be of a high standard of architectural design that responds positively to and respects the character of the site and its surroundings. This draws from section 12 of the NPPF which seeks to ensure development is well designed.
- 6.5 Policy SD8 of the JCS requires development to *'make a positive contribution to local character and distinctiveness, having regard to valued and distinctive elements of the historic environment'*. The policy also goes on to set out that *'consideration will also be given to the contribution made by heritage assets to supporting sustainable communities and the local economy'*.
- 6.6 The proposed portakabin would replace a larger temporary structure which was demolished in early 2019. The siting of the replacement structure is relatively discreet within the site and there would be limited views to the portakabin from the main Sandford Parks Lido Building. It is appreciated that there would be limited views from the Park to the temporary building, however given the building is to be a temporary measure any view would not be long term.
- 6.7 The council's conservation officer has commented on the application, full comments can be read above. The conservation officer raises no concerns in regards to the siting of the portakabin in terms of its impact on the designated heritage assets within the site of Sandford Parks Lido.
- 6.8 The civic society has commented on the application and object to the proposal. This is based on the lack of information, the visibility from Sandford Park and the lack of a time frame for the proposal. More detailed plans have been submitted clearly stating the dimensions of the portakabin, along with an image of the proposed unit. In addition, it has been confirmed that the lease of the portakabin would last 3 years, however the council see it to be appropriate that a temporary time condition is added to the proposal so the quality of the structure can be monitored and controlled if required.
- 6.9 Following the submission of further details, the proposed portakabin is considered to be of an acceptable design for a temporary structure in this location. The conservation officer has confirmed that it would not harm to setting of the Listed Buildings therefore the proposal is considered to be acceptable.
- 6.10 As such, given that there are no concerns relating to the impact on the listed buildings within the site, or wider conservation area, and the design of the building is typical of a portakabin and therefore considered to be appropriate. The proposal complies with the relevant policies.
- ### 6.11 Impact on neighbouring property
- 6.12 Policy SD14 of the JCS and saved Local Plan policy CP4 require development not to cause unacceptable harm to the amenity of adjoining land users and the locality. This draws from the guidance set out within section 12 of the NPPF which seeks to ensure development protects the amenity of existing and future users.
- 6.13 No responses have been received in regards to the proposal. A visit to the application site has been carried out and there are no concerns that the proposed portakabin would result in harm to the amenity of adjoining land users given its location within Sandford Park with no immediate neighbours. The proposal therefore complies with the relevant planning policies in terms of protecting neighbouring amenity.

7. CONCLUSION AND RECOMMENDATION

- 7.1 Based on the above the proposed siting of a portakabin is considered to be appropriate in terms of its design and would not result in harm to the heritage assets or the wider conservation area.
- 7.2 As such the recommendation is to permit this application subject to the conditions set out below.

8. SUGGESTED CONDITIONS / INFORMATIVES

19/02438/FUL

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

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

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

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

- 3 The portakabin hereby approved shall be removed from the site and the land restored to its former condition 3 years from the date of this permission unless a renewal of permission has been granted.

Reason: The building is of a temporary nature and the Local Planning Authority wish to retain control over it in the interests of the visual amenities of the area which is within the curtilage of a listed building and a designated Conservation Area.

19/02438/LBC

- 1 The listed building consent 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 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 The listed building consent 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.

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

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dealing with a planning application with the aim of fostering the delivery of sustainable development.

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

In this instance, having had regard to all material considerations, the application constitutes sustainable development and has therefore been approved in a timely manner.

Appeals Lodged Jan/Feb 2020

Address	Proposal	Delegated or Committee Decision	Appeal Type	Anticipated Appeal Determination Date	Reference
Imber, Undercliff Avenue	Erection of 2 no. additional dwellings	Delegated	Written Representations	Early March 2020	Appeal Ref: 20/00001/PP1 Planning ref: 19/00011/FUL
60 Kempton Grove	Two storey side extension	Delegated	Fast track householder	Early April 2020	Appeal ref: 20/00002/PP1 Planning ref: 19/01251/FUL
42B Suffolk Road	Installation of first floor window without restrictions (retrospective)	Delegated	Written Representations	Early April 2020	Appeal Ref:20/00003/PP3 Planning ref: 19/01746/FUL

Appeals Determined

Address	Proposal	Delegated/Committee Decision	Appeal Type	Outcome	Reference
23 Manor Park	Two storey side extension	Delegated	Fast track	Appeal Dismissed	Appeal Ref: 19/00023/PP1 Planning Ref: 19/01085/FUL

Authorised By: David Oakhill 07.02.2020

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