

Cheltenham Borough Council Planning Committee

Meeting date: 13 February 2025

Meeting time: 6.00 pm

Meeting venue: Council Chamber - Municipal Offices

Membership:

Councillor Frank Allen, Councillor Glenn Andrews, Councillor Paul Baker (Vice-Chair), Councillor Adrian Bamford, Councillor Garth Barnes (Chair), Councillor Barbara Clark, Councillor Jan Foster, Councillor Andy Mutton, Councillor Tony Oliver, Councillor Simon Wheeler and Councillor Suzanne Williams

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Phone: 01242 264 246

Agenda

1 Apologies

2 Declarations of Interest

3 Declarations of independent site visits

4 Minutes of the last meeting (Pages 5 - 8)

To approve the minutes of the meeting held on 23rd January 2025.

5 Public Questions

6 Planning Applications

6a 24/01762/FUL and 24/01763/FUL- 129 - 133 Promenade, Cheltenham, GL50 1NW (Pages 9 - 270)

[Planning Application Documents - 24/01762/FUL](#)

[Planning Application Documents - 24/01763/FUL](#)

6b 24/01520/FUL - Wallace House, Windermere Road, Hatherley, Cheltenham, GL51 3PF (Pages 271 - 282)

[Planning Application Documents](#)

6c DEFERRED - 24/01872/FUL & LBC - 38 London Road, Cheltenham, GL52 6DY (Pages 283 - 286)

Item deferred – meeting TBC

[Planning Application Documents](#)

[Listed Building Application Documents](#)

6d 24/01877/FUL & LBC - Tyndale, Clarence Square, Cheltenham, GL50 4JN (Pages 287 - 290)

[Planning Application Documents](#)

[Listed Building Application Documents](#)

6e 24/01876/FUL & LBC - 105 - 107 Winchcombe Street, Cheltenham, GL52 2NL (Pages 291 - 296)

[Planning Application Documents](#)

[Listed Building Application Documents](#)

7 Appeal Update (Pages 297 - 320)

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



Cheltenham Borough Council Planning Committee Minutes

Meeting date: 23 January 2025

Meeting time: 6.00 pm - 6.47 pm

In attendance:

Councillors:

Frank Allen, Glenn Andrews, Paul Baker (Vice-Chair), Adrian Bamford, Garth Barnes (Chair), Barbara Clark, Jan Foster, Tony Oliver, Simon Wheeler and Suzanne Williams

Also in attendance:

Chris Gomm (Head of Development Management, Enforcement and Compliance), John Hindley (Highways representative Gloucestershire County Council) and Michael Ronan (Locum Planning Solicitor - One Legal)

1 Apologies

Apologies were received from Councillor Mutton.

2 Declarations of Interest

There were none.

3 Declarations of independent site visits

The following Councillors attended Planning View on the 21 January 2025:

- Councillor Frank Allen
- Councillor Paul Baker
- Councillor Adrian Bamford
- Councillor Garth Barnes
- Councillor Barbara Clark
- Councillor Jan Foster
- Councillor Tony Oliver

4 Minutes of the last meeting

A request from a member of the public to correct the minutes was received and was reviewed by the Monitoring Officer. The requested changes were not recommended to the Committee as council minutes are not intended to be a verbatim record of meetings and recordings are available on YouTube for four years for reference. The Committee agreed not to amend the minutes.

The minutes of the meeting held on 17 October were approved and signed as a correct record.

5 Public Questions

There were none.

6 Planning Applications

7 424/00725/OUT - Land at North Road West and Grovesfield Way

The Head of Development Management, Enforcement & Compliance introduced the report as published, highlighting that this was an outline application for up to 60 dwellings including 40% affordable housing and up to 550 square meters of flexible commercial use. He emphasized that appearance, landscaping, layout, and scale were reserved matters. He highlighted that an update sheet had been circulated with amended conditions and that the recommendation was to permit subject to these conditions and a s106 agreement.

There were no public speakers on the item.

In response to Members' questions, officers confirmed that:

- It would not be possible to resolve the drainage issue that has existed on North Road West since the BMW site was built through a condition on the current planning application. Cheltenham Borough Council and the County Council have enforcement powers to manage this issue and it will be raised with the Enforcement Team.
- Controlling routes of construction traffic to prevent contractors' vehicles using North Road West is within the scope of a construction management plan. This can be dealt with when the application to discharge that condition is submitted.

The matter then went to Member debate where the following points were made:

- The use of the site as a residential rather than commercial site was seen as a positive development, particularly given the pressure to build more houses as captured within the 5-year housing land supply particularly given the pressure to build more houses as captured within the 2.52 year housing land supply. The designation of 40% of properties as affordable housing was also highlighted as extremely important.

- Significant disappointment was expressed at the decision to provide access to the residential properties through North Road West, instead of Corinthian Way. North Road West is a very quiet county lane within the green belt, bound by hedgerows on both sides and is part of a designated national cycle route. In contrast Corinthian Way is a purpose-built two-lane road, designed to take high volumes of traffic.
- It was noted that the developers' had agreed to put a pedestrian crossing at a point on North Road West but it was felt that it would be unusual to install a pedestrian crossing on a country road.
- A length of the hedgerow will be lost to create access and concern was raised that this would represent significant biodiversity net loss and be a key loss of a wildlife corridor. This will also negatively impact the current safe use of North Road West by cyclists, runners and walkers.
- Concern was raised that once the road is resurfaced people will exceed the 30mph speed limit in the stretch of the road that pedestrians will be able to access. It was also noted that whilst it was possible for cars to pass each other the road was tight.
- As the access would only be for 60 properties it will not represent a significant increase in traffic.
- There are existing drainage issue on North Road West. It was stressed that the developers should bear in mind that the water course should be able to travel under the road in North Road West.
- Whilst the committee could reject the application due to concerns about access, given the Highways team had not raised an objection it was likely that the application would be approved on appeal.

Officers offered the following responses to the Member's debate:

- The Principal Development Co-Ordinator confirmed that the Highways team had discussed the use of Corinthian Way for access with the developer. They had confirmed they were committed to North Road West access due to the benefit it would bring to the residential estate to create a separation from the commercial site. Highways do prefer to have separate accesses to avoid conflict of lots of pedestrians with large HGVs. The Highways team then considered the benefit and risk of North Road West access, including speed readings and the visibility that could be achieved, and on balance there was no fundamental reason they could not support the application.
- The speed limit on North Road West is presently going to remain at 50mph. Internal paths on the estate will lead pedestrians to a section of road where it is 30mph.
- There will be pedestrian access to Corinthian Way, the only separation will be vehicular.
- At most 20m of hedgerow will be lost to create the access.
- Discussions have already been held with the developer about the location of access and it is not for the committee to re-design the scheme or fundamentally change means of access to the site. Members have the right to vote against the officer recommendation. However, as officers are happy with the means of access from North Road West and the application complies with planning policy it is likely this refusal would be subject to an appeal. Members were reminded that if a decision is made without evidence to support the decision the authority is exposed to risk of costs on any appeal.

The matter then went to the vote on the officer recommendation to permit subject to conditions and s106 agreement:

For: 9

Against: 1

Abstentions: 0

Voted to permit subject to conditions and s106 agreement.

8 Appeal Update

The committee noted the appeals update.

9 Any other items the Chairman determines urgent and requires a decision

There were none.

10 Briefing Note - Changes to the 5 Year Housing Land Supply Position following publication of the NPPF (December 2024) and related changes in the Planning Practice Guidance (PPG)

The committee noted the briefing note.

APPLICATION NO: 24/01762/FUL & 24/01763/FUL	OFFICER: Mrs Lucy White
DATE REGISTERED: 8th November 2024	DATE OF EXPIRY: 3rd January 2025
DATE VALIDATED: 8th November 2024	DATE OF SITE VISIT:
WARD: Lansdown	PARISH:
APPLICANT:	The Lucky Onion LLP
AGENT:	SF Planning Limited
LOCATION:	129 - 133 Promenade Cheltenham Gloucestershire
PROPOSAL:	<p><u>24/01762/FUL</u> Erection of glazed structures within the front curtilages of Nos 125-127, 129-131 and 133 Promenade to provide external restaurant, dining and drinking facilities associated with 131 Promenade and existing hotel. Installation of PV panels to roofs of 125-127 and 133 Promenade and removal of existing conservatory to side of 133 Promenade.</p> <p><u>24/01763/FUL</u> Erection of metal-framed pergola structures within the front curtilages of Nos 125-127, 129-131 and 133 Promenade to provide external restaurant, dining and drinking facilities associated with 131 Promenade and existing hotel. Installation of PV panels to roofs of 125-127 and 133 Promenade and removal of existing conservatory to side of 133 Promenade.</p>

RECOMMENDATION: Refuse/Refuse



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1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The application site comprises of a group of 3no. two storey over basement grade II* listed Regency villas (Nos 125-133), located prominently on the west side of the Promenade and within the Central Conservation Area (Montpelier Character Area).
- 1.2 The applicant has submitted two applications for the replacement of the existing, temporary marquee structures with permanent buildings within the front curtilages of the listed buildings. The applications were submitted concurrently and this report considers the merits of both.
- 1.3 Application 24/01762/FUL proposes the erection of glazed structures within the front curtilages of Nos 125-127, 129-131 and 133 Promenade to provide external restaurant, dining and drinking facilities associated with 131 Promenade and the existing hotel. The installation of PV panels to the roofs of 125-127 and 133 Promenade and the removal of the existing conservatory to the side of 133 Promenade are also proposed.
- 1.4 Application 24/01763/FUL proposes for the erection of metal-framed pergola structures within the front curtilages of Nos 125-127, 129-131 and 133 Promenade to provide external restaurant, dining and drinking facilities associated with 131 Promenade and existing hotel. Again, the proposals include the installation of PV panels to the roofs of 125-127 and 133 Promenade and the removal of an existing conservatory to side of 133 Promenade.
- 1.5 Although the two applications have been submitted concurrently and the matters for consideration are similar, they will need to be determined separately and on their individual merits. Officers also emphasise that a decision should not be taken simply on an either/or basis or which scheme is preferred. These are stand-alone applications and both may be considered acceptable or unacceptable, for example.
- 1.6 A listed building consent application for the proposed works affecting the fabric of the listed building (PV panel installation and removal of the conservatory) has also been submitted (24/02041/LBC). This application sits alongside the two subject applications and will be determined separately. The merits of the listed building consent elements of the proposals are discussed within the relevant section of the report.
- 1.7 Both applications are supported by various supplementary information, namely a planning statement (PS) heritage impact assessment (HIA), energy statement and an economic statement (ES). The PS, HIA and ES for each application discuss the design and layout elements of the scheme, the heritage impacts and set out the reasoning behind the proposals and the applicant's (economic) justification for the proposed development.
- 1.8 The above applications follow a pre application submission in October 2023, detailing a permanent solution for the marquees. The advice given by officers and consultees at pre-application stage concluded that the principle of erecting buildings within the front curtilages of the listed buildings could not be supported. This is reflective of the planning and listed building legislation, NPPF, statutory consultee advice and the findings of the Planning Inspector appointed to determine appeal ref APP/B1605/W/23/3314132.
- 1.9 Members will recall that there have been two recent applications refused and the appeal, noted above dismissed the retention of the existing marquees for a temporary period. An Enforcement Notice, that required the removal of the marquees, was served by the Council in January 2024. The applicant lodged an appeal against this Notice and, at the time of writing, the appeal decision is still awaited.
- 1.10 Members are reminded that the applicant (Lucky Onion Group) benefitted from the Council's relaxation of enforcement proceedings for temporary, moveable structures

which was put in place to help and support the successful running of businesses and organisations within the town to ensure they remained open and viable during the Covid-19 pandemic. This intervention was made in recognition of the challenges to the hospitality sector during that time. Cheltenham was the first council to bring forward this initiative which was subsequently supported by government Covid-19 relaxations across England. The existing marquee structures were erected in response to these temporary relaxation rules, which ceased in September 2022, at which point the marquees should have been removed from site. There were many businesses who took advantage of the relaxation, including in close vicinity to 131; the Queens Hotel and Imperial Garden Bar. As far as officers are currently aware, all temporary structures, with the exception of those at 131, the Rotunda and possibly a gazebo still at 15 Rotunda Terrace, have been removed or have planning permission for their retention and/or alteration.

1.11 The appeal decision and conclusions reached by the appeal Inspector, as they relate to the current proposals, will be discussed later in the report. The appeal decision is appended to this report for ease of reference.

1.12 This application is before Planning Committee at the request of Councillors Paul Baker and Ben Orme. The reasons given (respectively) are as follows:

The importance of the applications to our regency heritage, the prominence of the locations, the fact that previous applications have been considered by the planning committee and the high degree of local interest

The public interest in this application, a full discussion and public decision should be made.

1.13 The Director of Community and Economic Development (Tracey Birkinshaw) also requested a Committee determination, reflecting the public interest in this case and in the context that previous applications had been determined by Committee.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Business Improvement District
Principal Urban Area
Central Conservation Area

Relevant Planning History:

12/01392/COU 7th March 2013 PER

Change of use from B1 (Office) to C1 (Hotel) and A3 (Restaurant)

12/01392/LBC 7th March 2013 GRANT

Works in association with change of use from B1 (Office) to C1 (Hotel) and A3 (Restaurant)

13/00957/LBC 6th August 2013 GRANT

Treatment of dry rot by removing existing affected timber, treat all sub-strates adjacent and and re-instate as per existing

14/00150/FUL 21st May 2014 PER

Provision of temporary generator in car park with temporary acoustic fence to enclose the generator (retrospective)

15/01810/PREAPP 22nd December 2015 CLO

Internal alterations to form hotel and link to adjacent property 131 Promenade to extend existing hotel facilities

15/02243/COU 20th December 2016 PER

Change of use from offices (B1) to hotel accommodation as part of existing hotel facilities at 129-131 Promenade with landscaped front amenity area new ground floor extension/link and formation of external courtyard to 133 Promenade (and associated internal and external alterations)

15/02243/LBC 20th December 2016 GRANT

Change of use from offices (B1) to hotel accommodation as part of existing hotel facilities at 129-131 Promenade with landscaped front amenity area and erection of ground floor extension/link and formation of external courtyard to 133 Promenade (and associated internal and external alterations) Proposed change of use from offices to hotel with new link to 133 Promenade

16/00999/LBC 20th July 2016 GRANT

Miscellaneous remedial works due to dry rot outbreak

16/00254/CLBW 25th February 2016 CERTPU

Like for like remedial works - remove existing capping to the parapet, supply and fix new code 5 lead capping to the parapet, redress lead gutter, clean out the associated lead gutters and outlets, replace missing slates and any rotten batten and felt membranes to the affected area with new to match existing.

16/01428/LBC 4th October 2016 GRANT

Removal and restoration of entrance gate piers and re-erection in original position

16/01704/LBC 24th November 2016 GRANT

Removal and restoration of veranda on front elevation

16/01738/LBC 15th December 2016 GRANT

Proposed Re roofing and misc internal restoration works

17/01438/COU 27th December 2017 PER

Change of use from office (B1) to hotel accommodation (C1) to be used as part of existing hotel facilities at 129-131 Promenade (with associated internal and external alterations).

17/01625/LBC 27th December 2017 GRANT

Change of use from office (B1) to hotel accommodation (C1) to be used as part of existing hotel facilities at 129-131 Promenade, with associated internal and external alterations.

17/00556/FUL 26th September 2017 PER

Erection of external toilet block, side extension to provide new bar facilities, external seating area, 3 no. boiler flues and landscaping (part revisions to planning permission 15/02243/COU)

17/00556/LBC 26th September 2017 GRANT

Erection of plant room, new external toilet block, external seating and new bar extension, 3 no. boiler flues, landscaping and internal alterations (part revisions to planning permission 15/02243/LBC)

18/00555/AMEND 20th July 2018 PAMEND

Non material amendment to planning permission 17/00556/FUL - repositioning in basement of plant room and toilets on ground floor, repositioning of 3 no. boiler flues to north west (rear) elevation.

18/00567/LBC 20th July 2018 GRANT

Repositioning in basement of plant room and toilets on ground floor and repositioning of 3 no. flues to north west elevation (revision to listed building consent 17/00556/LBC)

18/02503/FUL PCO

Extension of external seating/dining area at rear of building including additional landscaping (part revision to 17/00556/FUL_LBC)

18/02503/LBC PCO

Extension of external seating/dining area at rear of building including additional landscaping (part revision to 17/00556/FUL_LBC)

19/00534/LBC 24th June 2019 GRANT

Proposed complete re-roofing of both buildings

19/01332/FUL 12th September 2019 PER

Erection of electricity sub-station including erection of new garden/boundary walls and gates.

19/01332/LBC 12th September 2019 GRANT

Erection of electricity sub-station including erection of new garden/boundary walls and gates.

19/01594/CONDIT 26th September 2019 PER

Variation of condition 2 of 17/01438/COU - Revisions to landscaping/treatment of the road frontage

19/01595/CONDIT 26th September 2019 PER

Variation of condition 2 of 17/01625/LBC - Revisions to proposed landscaping/treatment of the road frontage

19/01618/LBC 1st November 2019 GRANT

Proposed louvred plant room door at rear

19/01876/LBC 14th November 2019 GRANT

Restoration of lower treads to entrance steps and new handrails

22/01373/FUL 21st October 2022 REF

Retention of existing temporary marquees at 125, 127, 129, 131 and 133 Promenade, Cheltenham for a further two year period

23/01209/PREAPP 8th May 2024 CLO

Removal of existing temporary marquees and replacement with bespoke, architect designed, permanent, alternative solution (Conservation Area)

23/01118/FUL 20th July 2023 DECACC

Retention of reduced number of marquees at 125, 127, 129, 131 and 133 Promenade, for a further 12-month period. (Revised scheme following application 22/01373/FUL)

23/01597/FUL 18th December 2023 REF

Retention of and alterations to a reduced number of marquees at 125, 127, 129, 131, and 133 Promenade, Cheltenham for an additional 12-month period (revision to planning application ref: 22/01373/FUL)

24/02041/LBC PCO

Installation of PV panels to the roof of 125 and 127 and 133 Promenade, and removal of modern conservatory at 133 Promenade.

3. POLICIES AND GUIDANCE

National Planning Policy Framework

Section 2 Achieving sustainable development

Section 4 Decision-making

Section 6 Building a strong, competitive economy

Section 7 Ensuring the vitality of town centres

Section 8 Promoting healthy and safe communities

Section 11 Making effective use of land

Section 12 Achieving well-designed places

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

Section 16 Conserving and enhancing the historic environment

Saved Local Plan Policies

RT 2 Retail development in the core commercial area

RT 3 Non-A1 uses in primary shopping frontages

Adopted Cheltenham Plan Policies

D1 Design

SL1 Safe and Sustainable Living

Adopted Joint Core Strategy Policies

SD2 Retail and City / Town Centres

SD3 Sustainable Design and Construction

SD4 Design Requirements

SD8 Historic Environment

SD14 Health and Environmental Quality

INF1 Transport Network

INF5 Renewable Energy/Low Carbon Energy Development

Supplementary Planning Guidance/Documents

Central conservation area: Montpellier Character Area and Management Plan (Feb 2007)

4. CONSULTATIONS

See appendix at end of report

5. PUBLICITY AND REPRESENTATIONS

Number of letters sent	171
Total comments received	143
Number of objections	24
Number of supporting	117
General comment	1

5.1 The application was publicised by way of letters sent to 171 neighbouring properties, site notices displayed within the vicinity of the site and an advert published in the Gloucestershire Echo. A total of 168 representations were received following the publicity. The comments and concerns raised, in summary, are set out below.

5.2 Representations of support are drawn from:

- Members of the public, including customers of the 131 Promenade restaurant/hotel
- Employees of 131 Promenade, and
- Suppliers to the business.

5.3 Some representations simply stated support, others provided commentary, and these are summarised below.

5.4 Historic England, the Georgian Group, Civic Society and Cheltenham's Architects Panel have raised objection to both applications. Their comments are set out in full in the Consultations section and summarised later within the report.

5.5 Summary of representation comments:-

Objection

- Harmful impact on the character and aesthetic value of iconic grade II* listed Regency terrace and the conservation area/Montpellier Character Area. Listed building frontages and elevations would continue to be obscured by inappropriate structures
- This development risks altering the visual appeal, heritage value, and architectural cohesion of the area. It would also adversely impact the other nearby listed buildings and the ambiance of Imperial Gardens.
- These listed buildings dominate the main entrance into Cheltenham. The buildings are beautiful and should not be hidden by modern day structures.
- The proposed development extends beyond the established build line of other properties in this section of The Promenade.
- Impact on important views/vistas within the most prominent, prestigious and historically significant part of the town centre Conservation Area
- Glass structures would be poorly insulated. Lack of information on energy usage and heating requirements for the restaurant.

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- Applicant's disregard of the planning system and the impact of the proposals on designated heritage assets.
- The business operated successfully without the marquees prior to the Covid-19 pandemic.
- The continued presence of these additions offers an unfair economic advantage to this business. Cheltenham's historic character should not be sacrificed for the financial benefit of one entity.
- No hard data to show that there is likely to be a material increase in visitors to Cheltenham and that any such increase will be to the economic benefit of the town, and not just to the 131 businesses.
- Local business owners who have bought properties or established businesses in this area should have a reasonable expectation that their operations would not face competition from a large commercial space set directly outside a listed building.
- The charm and heritage of the area must be preserved without exceptions for commercial gain.
- The massive extension of catering provision at the front of the Villas is detrimental to the appearance of each effected building, the Square and the image of Cheltenham as a whole.
- Change to the appearance of these buildings should only be accepted in exceptional circumstances and not where the justification is based on relatively short term outcomes or on private gains.
- The 131 Group were financially viable prior to expanding these seating areas to the front and have also since increased capacity in the rear and the basement.
- Similar additions would not be permitted for other listed properties.
- The front curtilages should be returned to how they looked pre-Covid
- Proposals not an improvement on the tents and would result in another modern eyesore
- Ample space at the rear of their buildings that could be utilised which would not detract on the beauty of the buildings.
- The immediate surrounding area has abundance places to eat and drink
- It is Cheltenham's Heritage and Culture that attracts visitors, its beautiful buildings, its Gardens, its Cultural events, not 131.
- Claims of employment benefits are misleading. The hospitality sector as a whole faces recruitment challenges, and a reduction in operations for one business would redistribute staff opportunities elsewhere
- The bar and restaurant facilities created by this development are much too large for the location and have severely affected business at other small hospitality venues nearby

- Impact on amenities of nearby residential properties – noise disturbance, audible all year round music playing

Support

- Proposals address previous negative aspects
- Proposed replacement buildings are well designed, aesthetically pleasing and would enhance the setting of the listed buildings and character of the conservation area.
- Design is both contemporary and traditional and a light touch and would therefore fit in well. The design of the proposed structures complements the architectural design of the existing buildings
- A lovely outdoor space without taking away from the beautiful regency architecture of the original building
- Investment like this is needed within the town centre
- This is a destination venue which should be allowed to continue. 131 is a flagship venue that contributes significantly to Cheltenham's late-night dining and nightlife economy
- Regularly visit 131 which is a nice place to drink and dine
- Clever use of space to create great customer experience using period buildings and their exteriors.
- Proposals would ensure the viability of a cherished local business: No. 131 is a vital part of our community, offering delicious food, friendly service, a lively atmosphere. This structure will allow them to operate throughout the year, protecting local jobs and contributing to a thriving local economy.
- The proposed establishment is well-positioned to complement nearby businesses
- The design of the venue and its potential to host a variety of events will add to the cultural vibrancy of Cheltenham
- Proposals would result in employment retention and economic growth
- Much-needed venue for entertainment and dining. They contribute greatly to the prosperity of the town, provide jobs, attract visitors to the town and help keep the night-time economy vibrant

6. OFFICER COMMENTS

6.1 Determining Issues

6.2 The key matters for consideration in relation to both applications are as follows:-

- The impact on the significance (notably setting) of the designated heritage assets (subject grade II* listed buildings, other nearby listed buildings/structures, Imperial Gardens and the Central Conservation Area)

- The public benefits and wider economic benefits of the proposed development
- The potential impact on the amenities of neighbouring properties, in terms of noise and disturbance and light spill
- Sustainable development and energy efficiency/costs
- Drainage
- Impact on trees

6.3 The site and its context

- 6.4** The application site comprises of 3no grade II* listed Regency villas which are located prominently on the north side of the Promenade, one of the spinal axis of the Montpellier Character Area of Cheltenham's Central Conservation Area. The buildings form the end of the Promenade (Nos 125-133 Promenade) and are part of an important group of large detached, former residential properties, now almost entirely in commercial use. These buildings are of considerable aesthetic and historic significance and there are long distance and important views of three elevations of No 133 (Clarence House) and the front and rear of 125-131 from Queen's Circus, Montpellier Street, Montpellier Gardens and the Promenade. Given the highly sensitive nature of the site's location, the potential impact of the proposals on the significance of designated heritage assets must be considered extremely carefully.
- 6.5** The villas have been significantly restored in recent years and make a significant contribution to the Central Conservation Area and the street scene.
- 6.6** Surrounding development is a mix of residential, commercial, restaurant/bar/cafe uses; the site also being located within the Core Commercial area of Cheltenham's town centre.
- 6.7** Montpellier Street runs along the rear boundary of the site, beyond which is the Cheltenham Ladies College. There are a number of other key grade II and II* listed buildings and listed terraces within the vicinity of the site, notably the Queens Hotel, properties surrounding Imperial Gardens and Montpellier Gardens and the Town Hall. A number of large, mature street trees are located in front of the three buildings.
- 6.8** Clarence House (133) is a substantial two storey detached villa with two lower side wings and the only detached villa in this location. It sits alongside the three pairs of equally imposing, semi-detached Regency villas. The gate and boundary piers to Clarence House are listed separately at grade II. Planning permission was granted in 2015 for the change of use from offices (B1) to hotel accommodation forming part of the existing hotel facilities at 129-131 Promenade (ref 15/02156/COU).
- 6.9** Nos 129-131 were originally a semi-detached pair of Villas and were substantially refurbished in 2016. As part of these works, the front façade of the building was altered to appear as a single detached building.
- 6.10** Nos 125-127 Promenade is a semi-detached pair of villas; planning permission was granted in 2017 for the change of use of the property from offices to hotel accommodation, again in association with Nos 129-133 Promenade (17/01438/COU & LBC).
- 6.11** The application site (Nos 125-133) is therefore entirely in use as a hotel with internal and external restaurant and bar facilities, including the Gin and Juice Bar that occupies parts of the lower ground floor of 129-131 and the external areas of 133.

- 6.12** As outlined in the introduction, the existing, temporary, marquee structures were first erected outside 131 and 133 Promenade in June 2020; shortly after the Council adopted its relaxation of enforcement measures in relation to temporary structures. In October 2020, during the second wave of COVID-19, further temporary structures were erected at 125-133 Promenade. The marquees to the side of 133 were removed towards the end 2023. Currently, there are 13 temporary marquees/canvas structures within both the front curtilages of all the three buildings. They are all of a similar 'top hat' type appearance and broadly similar in height and size.
- 6.13** In addition to the marquee structures to the front, the applicant has recently erected timber pergola structures at the rear of 133; the majority of which includes a roof covering. Planning and listed building consent have not been sought for these structures and, in similarity with the frontage marquees, are therefore unauthorised. The applicant was asked to include these recent additions within the current applications, but declined to do so. The Council's Enforcement team has been notified of these unauthorised works.
- 6.14** In addition, the use of the outside areas of No 133 for dining/catering purposes is subject to two undetermined planning and listed building consent applications, submitted in 2018 (ref 18/02503/FUL&LBC). These applications remain undetermined, pending the submission of revised and corrected details from the applicant. Officers sought not to progress these applications during the pandemic due to the relaxations put in place and are now minded to await the outcome of the current applications and outstanding appeal decision before pursuing matters further. Furthermore, the use of the side and rear curtilages of No 133 for external dining/drinking purposes has intensified noticeably since 2019, when these applications were first submitted. As mentioned previously the external areas of No 133 appear to be used entirely in association with the Gin and Juice Bar which also occupies a large part of the lower ground floor of 131; this area once providing the largest of the hotel's restaurant facilities.
- 6.15** It should also be noted that prior to June 2020, the area at the front of Nos 125-127 was not being used for any catering purposes and there was no planning consent in place to do so.
- 6.16 Design and Layout**
- 6.17** Both applications propose permanent buildings (of varying size, length and appearance) within the front curtilages of each listed building. These buildings would provide restaurant and bar facilities for use by hotel guests and the general public. The exact amount of covers is not known, but estimated to be similar to that currently accommodated within the temporary marquees.
- 6.18** Both schemes are single storey in height and comprise of metal framed structures, covering the majority of the front curtilage of each listed building.
- 6.19** The design and layout elements of each scheme are discussed in more detail below.
- 6.20 Application 24/01762/FUL**
- 6.21** The applicant's Design and Access Statement (DAS) states that "*the proposals aim to replace the existing temporary marquee structures with a historically sensitive scheme that integrates harmoniously within the street scene of Cheltenham.... a 'light touch' approach to construction that causes minimal harm to the existing buildings and landscape, and incorporates modular off-site construction*".
- 6.22** In terms of site layout, a restaurant area with an unspecified number of covers, would be located within the front of Nos 129-131 and 125-127. A bar for events and meetings would be located to the front of 133. There would be a glazed link from the proposed

restaurant to the existing lower ground floor kitchen in 129-131 via the existing right side stair core.

- 6.23** The massing and positioning of the proposed restaurant buildings have been designed to maintain the visual gap between each of the 3 listed buildings; the proposals also including the removal of the existing conservatory to the side of 133. This would allow glimpsed views of the historic buildings of the Ladies College behind.
- 6.24** There is a drop in land levels running north/south but the eaves height is kept consistent across each building frontage with the exception of two lower bay elements. Each proposed building incorporates a low pitched roof. The front elevation fenestration of each proposed building has been designed to follow, as far as possible, the column spacing and upper floor window pattern of the listed buildings. A typical elevation would include solid lower panels and sliding glazed doors, plus a modular, glazed sliding, opening roof. Similarly, the DAS indicates that the roof design has been inspired by the hood canopies of the first floor balconies. The key element of the proposals is the non-structural decorative ironwork trellis panels which project out from the main structural frame and glazed sections. Architectural cues have been taken from the existing buildings and those within the Montpellier Character Area.
- 6.25** The lightweight steel frame would be constructed off site with the modular glazed units and decorative ironwork applied thereafter. The foundations would consist of ground screws set in certain locations across the site with lightweight steel grillage above ground, where required.
- 6.26** Full details of the design approach and construction method are set out within the DAS.
- 6.27** Application 24/01763/FUL
- 6.28** The DAS states that *“the proposals aim to replace the existing temporary marquee structures with a ‘light-touch’ scheme that integrates harmoniously within the street scene of Cheltenham”*.
- 6.29** In similarity with the above scheme, there would be a restaurant area with an unspecified number of covers located within the front of Nos 129-131 and 125-127. A bar for events and meetings would be located to the front of 133. There would again be a glazed link from the proposed restaurant to the existing lower ground floor kitchen in 129-131.
- 6.30** In summary, the proposals comprise of a slim metal framed pergola structure with a low pitched, retractable fabric, awning type roof, covering an area of 459sqm. The notable difference with this scheme is the continuous, extended building footprint across the entire frontage areas of Nos 125-133 with no (visual) gaps retained between the listed buildings.
- 6.31** Eaves height would remain consistent across all building elevations, but are staggered down where necessary to take account of site level differences. The pergola posts and bay spacing are positioned to correspond roughly with the window pattern and columns of the principal elevations behind. An off-site modular construction method is again proposed with light touch ground screw foundations.
- 6.32** Note that, although the proposed construction methods and lightweight nature of the steel frames for both applications suggest these structures could be removed from the site fairly easily, both applications must be determined on the basis that these are permanent buildings.
- 6.33 Heritage Impacts/Policy Context**
- 6.34** As stated previously, the application site comprises of grade II* listed buildings, located centrally and prominently within the conservation area. These buildings are of

considerable aesthetic and historic significance and there are long distance and important views of the three elevations of No 133 (Clarence House) and the front and rear of 125-131 from Queen's Circus, Montpellier Street, Montpellier Gardens and the Promenade. Given the prominence and highly sensitive nature of the site location, the potential impact of the proposals on the significance of the designated heritage assets must be considered extremely carefully.

6.35 When determining planning applications, the local planning authority must take account of the statutory duty of section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess. Similarly, section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires special attention to be paid the desirability of preserving or enhancing the character or appearance of conservation areas.

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

6.37 Section 16 of the NPPF (2024) sets out the importance of conserving and enhancing heritage assets. Paragraph 203 of the NPPF advises that in determining planning applications, local planning authorities should take into account:

d) the desirability of sustaining and enhancing the significance of heritage assets, and putting them to viable uses consistent with their conservation;

e) the wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring;

f) the desirability of new development making a positive contribution to local character and distinctiveness; and

g) opportunities to draw on the contribution made by the historic environment to the character of a place

6.38 Paragraph 208 of the NPPF states:

"Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal...."

6.39 Paragraph 212 goes on to state that:

"When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance."

6.40 Paragraph 213 of the NPPF states:

"Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing

justification....substantial harm to assets of highest significance, notably.....grade II listed buildings, should be wholly exceptional.”.”*

6.41 Paragraph 215 requires that “*Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.*”

6.42 The Council’s Conservation officer (CO) and Historic England (HE) have considered both applications, alongside the supporting documents. Both the CO and HE raise significant concerns over the principle of the proposed development. Neither has commented in great detail on the architectural design and layout merits/acceptability of each proposal or set out the differences/preferences between them, as their representations are submitted on the basis of concerns in respect of the fundamental principle of development within the front curtilages of the listed buildings.

6.43 The Georgian Group has also raised an objection on similar grounds. The Civic Society and Architects Panel also raise objection to the proposals.

6.44 All of the above consultee comments are set out in full at the end of report. The below paragraphs summarise the key areas of concern raised by the CO, HE and the Georgian Group.

6.45 Conservation Officer

- Due to the location of the proposed buildings directly in front of the principal facades and covering almost the entire front curtilage of each building, the setting of the listed buildings (viewed both separately and collectively) would be permanently and significantly harmed.
- The skeletal frames and flat roof structures will represent a permanent presence within the front curtilages and would remove important open space. The collective hierarchy and Grade II* status of the Villas is reflected (in part) by the open spaces between the buildings and Promenade. The proposed development will remove these spaces (former front gardens) to form the new buildings.
- The proposals would therefore represent an unprecedented form of development within the curtilages of Grade II* listed buildings in Cheltenham.
- Significance would be permanently harmed by the proposed buildings blocking views of the lower ground and ground floors of each building. The aesthetically sensitive architectural composition of the principal facades, including the sweeping entrance steps, most of the entrance columns and delicately detailed and ornate upper floor balconies would be screened from public view and their overall appreciation lost.
- The setting of grade II listed railings at 133 would be harmed by their proximity to the proposed buildings.
- North/south views of the buildings (separately and collectively) from both sides of the Promenade and from Imperial Gardens would be significantly harmed.
- Views from the listed buildings would be significantly impacted. Instead of an open frontage, from the upper ground floor windows there would be foreground views of the roofs and internal restaurant paraphernalia of the proposed buildings. Views of Imperial Gardens would be limited or entirely lost. Sound transmission from the restaurant would also impact the ground and upper floors.

- Typically, in Regency architecture, the greater the spatial area beyond the footprint of the building, the greater the historic and architectural status of the original building/s. In this context, the Villas have limited open space at the rear of the properties but have always enjoyed the benefit of generous open spaces to the front for a town centre location.
- The original plan form of historic development around the edge of Imperial Gardens and on the east side of the Promenade indicates a strong characteristic in relation to the original building line. In stark contrast, the proposals would introduce new buildings significantly forward of the established building line and historic plan form and footprint. In this context, the proposal would be setting a precedent.
- It would appear that the buildings have been designed to be as visually permeable as possible. However, the submitted drawings do not include the inevitable restaurant paraphernalia such as large planters, tables, chairs, blinds, lighting and heating equipment, external plant enclosures and the customers and staff occupying the buildings. The CO comments further that the perception of visual permeability would be significantly reduced when the demountable glazed panels are installed or during opening hours and when the interior of the spaces is illuminated by artificial light. In this regard, the submitted drawings/illustrations are somewhat misleading as to the resultant visual impact of the proposals.
- This part of the Conservation Area (Montpellier Character Area) is characterised by spacious and loose urban grain around wide tree lined roads and formal green spaces, and medium and long vistas that open towards larger public buildings. The subject listed buildings contribute to and their setting enhanced by the distinctive character and appearance of Montpellier.
- Subject to further detail, the introduction of PV panels on existing flat roof areas to the listed buildings is welcomed. The proposed loss of a modern side conservatory is also supported.

6.46 The CO also comments that the proposed development (increase in restaurant covers) could be achieved (in part) by reviewing internal restaurant opportunities and capacity and the possibility of single storey additions elsewhere within the site, thereby avoiding the principal elevations of the existing buildings.

6.47 The CO considers that the proposed development is close to resulting in 'substantial harm,' but acknowledges that, in heritage terms, this threshold is high and no historic fabric would be harmed. As such, the upper end scale of 'less than substantial harm' is considered appropriate in relation to the impact on setting.

6.48 The CO concludes that it is the principle of development in such a sensitive location which is the overriding concern.

6.49 Historic England – 24/01762/FUL

- While the proposed design has been steered by a more contextual approach and is an improvement on the existing temporary marquees, the significance of the three Grade II* buildings would be harmed by the proposed development within their principal setting; for reasons that have already been extensively rehearsed and covered in the planning appeal Inspector's report.
- The architectural composition of each building, their separation and rhythm within the Conservation Area, and also the setting of each, would still be obscured by the proposed additions.

- The design approach (embellishment and interpretation of the Regency ironwork of local balconies and canopies), and the internal furniture and lighting would have the effect of drawing the eye and this would distract from the aesthetic heritage value that contributes highly to the significance of the Grade II* buildings.
- There would be no adverse impact or harm as a result of removing the modern conservatory. However, this would not mitigate the harm caused by the proposed development to the front of the buildings
- There would be no potential for visual impact caused by the erection of PV panels on the roofs of Nos 125-127 and no. 133; albeit there is insufficient information relating to the construction and fixings of the panels and how these might impact upon the historic fabric of the roofs. Further detail would be required.
- Consideration should be given to some careful development to the rear of the buildings and the front cleared of the existing marquees. HE does not oppose the use of the front terraces for external dining/drinking and seating, but does not support any temporary or significant permanent structures located on the most significant architectural aspect of each of the Villas.
- Approval would serve as a very harmful precedent for similar developments elsewhere within sensitive areas of the historic environment.
- The existing structures have never had formal planning permission and should not be considered as a precedent for considering alternative designs.
- HE has concerns regarding the applications on heritage grounds and are not persuaded that harm has been minimised or indeed justified, and therefore concludes the LPA would be justified in rejecting the proposals.

6.50 Historic England – 24/01763/FUL. See above for a summary of general comments (as they relate to both applications) with the addition of the following design related concerns:-

- While the proposed design has a lower roof profile than that of the existing structures, the principle of any development to the front of the principal elevations of the Grade II* Regency villas would be harmful to their significance
- The frame is visually unrefined and would be experienced as a utilitarian and unrelenting structure against the principal elevations of the Grade II* villas. The submitted elevations and perspective images do not include the roof fully open and therefore do not exhibit the full visual impact of the structure.
- Unlikely that the roof would be often be retracted, as this would be difficult to secure through planning conditions. Therefore the impacts of the structure should be based upon the frame and the fully opened fabric roof, giving the appearance of a temporary marquee structure, but with a less assertive roof than the existing arrangement.
- The proposed steel frame and obscuring fabric roof would therefore distract from the aesthetic heritage value that contributes highly to the significance of the Grade II* buildings. The harm would be less than substantial.

6.51 Georgian Group – 24/01762/FUL & 24/01763/FUL

- The significance of the three Grade II* buildings would be harmed by the proposed development on their principal elevations and within their immediate setting.
- The objection is a matter of principle and there is therefore little merit in offering comment on the specifics of each scheme's materiality and detailing. Both proposals constitute an unacceptable visual distraction obscuring original features and competing with and dominating the highly-designated assets. The Group place this harm at the high end of less than substantial in NPPF terms.
- The argument made by the applicant (Heritage Statement 5.2) that the visual harm accruing from the current proposals 'is far less than the Covid scheme' should be dismissed. The correct baseline for comparison, cannot be the marquee structures as these never had formal planning permission and are not a relevant consideration.
- The key policy tests or NPPF Paragraphs 212 and 213 are not met in that there is clear and convincing justification for the harm that would arise from development within the setting of the grade II* buildings.

6.52 Civic Society - 24/01762/FUL & 24/01763/FUL

- The Society objects in the strongest terms
- False premise that the proposals represent an improvement on the existing tents. The proper comparison is with the setting and appearance of nos. 127-133 facing the Promenade as they were before COVID
- Huge damage to the setting and appearance of three exceptionally fine buildings. Proposals would also be completely out of place in a highly sensitive part of the Conservation Area. The harm to the Grade II* listed buildings would be "substantial" in terms of Government policy and therefore should not be allowed.
- Inspector found the temporary nature of the tents to cause less than substantial harm, not the tents in themselves.
- The impact of this scheme on the main views from the Promenade will be very damaging
- The structures in front of nos. 127-133 hide the main entrance to no. 131 which should be made the focal point for the entire enterprise.
- The Society know of nowhere else where planning permission has been given for a major new development right in front of the main façade of Grade II* buildings. To do so would be an insult to the quality of their fine architecture.
- The illustrations that accompany these proposals are very misleading. They give the impression of a transparent structure with nothing within it. In reality it will be covered over much of the time, with lots of activity within it. It will be the dominant feature looking towards nos. 127-133, obscuring many of the details and greatly reducing the overall impact of Forbes's fine architecture.
- The Civic Society representation includes a number of day and night time photographs of the listed building frontages and elevations taken before the pandemic and marquee installation.
- The applicant needs to make a wholly exceptional case in support of the application. The applicant's economic case is weak. The document submitted is

not an economic impact analysis but more an estimate of the financial benefit the tents currently provide to no. 131. The commercial benefits since Covid are discussed but little is said about the wider public benefits. No evidence is presented that 131 is a 'destination' restaurant which induces visits to Cheltenham that would otherwise not have taken place. There is an assumption that any reduction in dining revenue at no. 131 would be a significant net loss to the town, but that seems unlikely, and no evidence is presented in support of this claim. It is more likely that if restaurant revenues fell, spend would be transferred to other restaurants in town. The report does not show that the enterprise would be unviable without the increase in revenue generated by the marquee restaurant. No. 131 has enjoyed an unfair advantage over its competitors.

- The Society suggests an alternative scheme - permanent structure to the south-west of 133, perhaps in the form of an elegant curved contemporary building facing Queens Circus and stretching round to Montpellier Street - the return of tables with small parasols in front of the three buildings - the use of Class BB of the General Permitted Development Order to provide more substantial temporary accommodation at times of peak visitor numbers.

6.53 Architects Panel - 24/01762/FUL

- The principle of permanent development in front of the listed building is a concern
- The impact on the setting of the listed buildings is too great and too obstructive of the elevations of the listed buildings and hence harmful to their setting as well as the wider conservation area
- The solid roof to the structure would create a significant visual barrier between the street scene and the elevations of the buildings behind.

6.54 Architects Panel - 24/01763/FUL – General comments as above with the addition of:-

- Whilst the glazed proposal is more light weight in terms of its visual impact on the buildings behind the visualisations suggest that the spaces will be empty. In reality they will be filled with all of the restaurant paraphernalia which is currently housed in the tents and as such will have just as much visual impact on the setting of the listed buildings and the wider conservation area.

6.55 Appeal Decision

6.56 Although the current applications relate to permanent buildings within the front curtilages as opposed to temporary structures, the recent appeal decision for the retention of the marquees is relevant. The key planning matters considered by the Inspector are very similar to those of the current proposals. Officers have therefore considered very carefully, the extent to which the current proposals address the concerns raised by the appeal Inspector. A number of key themes can be drawn from the appeal decision, and they are:

- Impact on the setting and thereby the significance of the grade II* listed buildings
- Views and appreciation of the ground and upper floor elements of the listed buildings
- Wider impact on the setting (significance) of other nearby listed buildings and the character and appearance of the conservation area

6.57 The following extracts from the appeal decision relate to the above considerations.

- 6.58** Impact on setting and significance - (para 16) *The open spaces around the buildings remain a key aspect of how the assets are appreciated today. Moreover, the open nature of these spaces allow the aforementioned ground floor elements that contribute to the significance of the buildings to be viewed and seen in the context of the building as a whole. The neoclassical detailing and the hierarchy of windows are particularly important aspects of how the buildings were designed. The open space forming the appeal site thus makes a major contribution to the significance of 125 and 127 Promenade, 129 and 131 Promenade and 133 Promenade.*
- 6.59** *The scale of the development has drastically reduced the degree of spaciousness within the appeal site (despite three proposed marquees being absent on my visit). The development of the site has had a significantly diminishing effect on the legibility of the original conscious design as grand villas within a spacious setting, adversely affecting their significance. Moreover, the tented form and irregular positioning of the marquees within the site jars with the formal symmetry of the Regency buildings. This also has the effect of reducing the individuality between the three buildings and blurring the definition between them.*
- 6.60** Views of the ground and upper floors - (para 23) *Owing to their considerable height, spread and form, the marquees almost completely obscure the ground and basement elevations of the buildings, radically reducing the visibility of their architectural detailing, such as the arcading and balconies to the ground floor areas referred to above. The peaks of the marquees also obscure parts of the first floors of the buildings. Visibility of the buildings in views from outside the site as well as from the entrance to Imperial Gardens opposite and from further along Promenade has been radically reduced. This severely restricts the ability to appreciate the significance of the buildings.*
- 6.61** Legibility/Impact on setting – (para 25) *The development of the site has had a significantly diminishing effect on the legibility of the original conscious design as grand villas within a spacious setting, adversely affecting their significance*
- 6.62** Wider impacts - (para 30) *the proposed retention of the marquees would have a harmful effect on the special interest of the adjacent Grade II* listed buildings, particularly their setting. In addition, it would fail to preserve or enhance the character or appearance of the CA. As such, it would cause harm to the significance of these designated heritage assets.*
- 6.63** Although the current applications propose permanent buildings, the following extract is equally relevant, in that the Inspector raised concerns over the continued harm caused by the retention of marquees within the front curtilages.
- 6.64** Extending the temporary period - (para 29-30) *to retain the marquees for a further two years, this harm would continue at least for the duration of that period.....As such, for the above reasons, I conclude that the proposed retention of the marquees would have a harmful effect on the special interest of the adjacent Grade II* listed buildings, particularly their setting.*
- 6.65** What is clear from the appeal decision is that the Inspector considered that the marquees obscured the valuable architectural detailing of the ground and basement elevations of the buildings and thereby the ability to appreciate the significance of the buildings. The current proposals fail to address this concern in that the ground and upper ground floors would be largely hidden from view and obscured. The single storey nature of the two schemes may allow more of the first floor elevations to be visible to users within the site and from the public realm, but this does not in any way overcome the overriding concerns over the restriction of views of the ground and basement elevations. Historic England, the Georgian Group, and the Council's Conservation officer all conclude that, by obscuring the lower elevations, the appreciation of the entire building elevations is lost.

- 6.66** Nor do the proposals overcome the current footprints of the marquees and ancillary structures, in that the permanent buildings would again cover almost the entire frontages of these grade II* listed buildings. Furthermore, the lack of breaks/gaps between the buildings, particularly in relation to the continuous metal framed structure of application 24/01763, prevents a clear appreciation of the individuality of the three buildings.
- 6.67** Equally, and despite the proposed reduction in height in comparison with the marquees, the proposals fail to address the harmful impact on the special interest and significance of other nearby listed buildings, notably the grade II* Queens Hotel and the grade II listed gate piers of No 133. At paragraph 31, the Inspector comments that *'through interrupting the spacious character and views between the two buildings the development has adversely affected the significance of the Grade II* listed Queens Hotel through development within its setting.* Similarly, the Inspector considers that the listed gate piers have been partly or totally subsumed by the structures, eroding their legibility within the site. The proposed permanent buildings would have the same affect.
- 6.68 Additional Officer Comments/Observations**
- 6.69** As highlighted by the Civic Society and other consultees, the appropriate, existing baseline when considering the impact of the proposals on heritage assets is the use, character and appearance of the site pre-Covid (marquee installation). Whilst any direct comparison with the existing marquees is not wholly irrelevant to the considerations, as matters relating to the principle of development in this location are the same, these are clearly unauthorised structures and an appeal for their (temporary) retention has been dismissed. In other words, the presence of marquees should not be considered as a precedent for considering alternative designs. As such, no weight should be given to any perceived visual improvement on the existing marquee scenario resulting from the proposed development.
- 6.70** The submitted details are unclear as to whether additional/ancillary structures would be required within the front curtilages to serve the restaurant e.g. plant equipment enclosures, storage, reception/entrance areas and circulation corridors between the proposed buildings.
- 6.71** Although various measures have been put forward, including roof mounted solar PV, the proposed heating system for the new building(s) is unclear. Air source heat pumps (ASHPs) are considered a possibility, but a thorough feasibility study has not been undertaken. The ASHPs would be located on the flat roof adjacent to existing ventilation units but there is no further detail provided with regards connection to the external site areas. There could also be noise impacts associated with ASHPs, affecting both hotel guests and neighbouring residents. A definitive alternative to ASHPs is not mentioned within the report and as such, the continued use of fossil fuels cannot be ruled out.
- 6.72** The submitted drawings for application 23/01762/FUL (decorative ironwork/individual buildings) indicate that there would be no link corridor attached to two of the separate structures. If these individual buildings are to serve as a restaurant, officers question the functionality and practicalities of doing so (as currently proposed) without a physical connection between each building, particularly given that the wider areas have been discounted by the applicant for this purpose.
- 6.73** The applicant has confirmed that there would be no physical attachment of the proposed buildings to the main façades of the listed buildings. Again, this is questionable since the corridor links to the main building to access the lower ground restaurant kitchen would not be sealed from the elements. Further detail on any type of fixings to the main façade would be required and this may necessitate a further listed building consent application.

- 6.74** Although the proposed construction methods and lightweight nature of the steel frames suggests that these are (potentially) removable structures, both applications must be determined on the basis that these are permanent buildings.
- 6.75** When viewing the application site from either a north or south direction on the east side of the Promenade, the individual buildings aspect of application 24/01762/FUL would not be entirely apparent, if at all. Furthermore, walking alongside the existing site and marquees on the east side of the road, pedestrians are unable to see very much of the upper levels of the principal elevations above the roof lines of the tents. The current proposals would have a lesser but similar affect.
- 6.76** Given the length of the existing restaurant/marquee enclosure, the amount of activity within and the sounds emanating, the whole enterprise deters proper appreciation of the historic significance and aesthetic qualities of these listed buildings, both individually and as a group. The proposed development does little to mitigate these affects and the result would be more or less the same, other than a slight reduction in overall height of structures.
- 6.77** Both Historic England and the Conservation Officer suggest that the applicant explore the potential for more sensitive development at the rear and side of 133. This would provide some of the restaurant capacity currently sought. The DAS discusses this alternative location but discounts it due to the location of the main hotel restaurant and resultant functionality of the on-site catering operation. This alternative has not therefore been discussed directly with the applicant during the course of these applications, as this is not the scheme presented and before Committee to determine. However, the applicant was fully aware of the advice provided and the justification for that advice.
- 6.78** Members may also be aware of examples of development within the curtilages of town centre listed buildings which are similar in type and function to that proposed. One such recent example is the metal framed, glazed covered seating/dining area located within the side, garden curtilage of the Grade II listed Belgrave House on Imperial Square (the former Pizza Express, now Settebello). Although this structure fronts Imperial Square and is visible within the public realm/conservation area, it does not obscure the principal elevation of the listed building, it is significantly smaller in size, and the immediate historic environment context and character is very different from that of 125-133 Promenade. In this case the Conservation officer accepted the principle of an outdoor seating area, covered or otherwise in this location, which would allow an appreciation and the effective use of the garden of the listed building. Although this recent example is not a material consideration when determining the two current applications (as each planning application must be determined on its individual merits), it nonetheless demonstrates that the erection of large structures within the curtilages of listed buildings is not precluded and may be deemed acceptable in some circumstances.

6.79 Public Benefits

- 6.80** As discussed above, the proposed development is considered to result in harm to the significance of these important grade II* listed buildings, other listed buildings within the vicinity of the side and the wider conservation area. The conservation officer considers the level of harm to be less than substantial.

- 6.81** Paragraph 215 of the NPPF states:

“Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, where appropriate, securing its optimum viable use...”

6.82 The applicant considers that the proposed development (retention of the increased restaurant facilities) generates significant wider public benefits and that these far outweigh the less than substantial harm caused.

6.83 The application details include an Economic Statement (ES) produced by the applicant. This sets out the potential economic impact of the proposals and the applicant's (economic/public benefits) justification for the proposed development. It *“demonstrates the vital economic contribution of 131 to Cheltenham's hospitality sector and wider economy, and how the space provided by marquees, or an appropriate alternative, is now fundamental to the long-term viability of the premises and the associated many benefits arising from the site. Any economic or other social and environmental benefits identified as part of the applicant's justification must therefore be considered very carefully. The ES is discussed in more detail at paragraphs 6.88-93 below.*

6.84 Economic and Social Benefits

6.85 It is clear that the hotel business has been able to trade successfully and remain viable during the post lockdown periods of the Covid-19 pandemic. It is also evident, based on the number of marquees installed to the front and side of all three buildings, that there has been a significant increase in overall covers for the both the restaurant and bar elements.

6.86 Without clear evidence presented by the applicant to the contrary, external dining and drinking capacity was almost certainly significantly lower pre-pandemic; given that the existing marquee structures now extend across all frontages. Indeed, the ES identifies an 858% increase in profitability in the period 2019/20 – 2020/21 (table 3.10). Furthermore, the appeal Inspector notes that *“having regard to the significant number of tables located within the areas covered by marquees, I do not doubt that these areas generate a substantial income throughout the year, as they are essentially an extension of the internal dining areas and bars, allowing for significantly more tables and more customers”*.

6.87 In light of the above, both proposed schemes would maintain this level of trade for the business, contributing to the overall viability and vitality and retail/leisure and accommodation offer within the town centre. As such, the proposals provide some economic and social benefits to the wider public and town centre economy.

6.88 The appeal Inspector considered the limited financial information submitted by the applicant as part of the appeal process (to substantiate an economic argument for retention). The Inspector considered there was a lack of supporting evidence with regard to the financial implications of the marquees and the extent to which the businesses are dependent on them. The Inspector also concluded that *‘There is no evidence before me that the appeal proposal is the only means of providing outdoor dining’*. Nor is the Inspector convinced *‘that the marquees are fundamental to maintaining the buildings’ optimum viable use’*.

6.89 In summary, the Inspector afforded limited weight to any social and economic benefits of the proposals which were not sufficient to outweigh the considerable importance he attached to the identified harm to the significance of the designated heritage assets.

6.90 Applicant Economic Statement/Review

6.91 In response to the above, the applicant submitted an ES, which seeks to provide the economic justification for the proposed development which the applicant considers outweighs the less than substantial harm caused to the designated heritage assets. The ES, in summary, makes the following claims and sets out details of changes within the hospitality sector in general and the revenue and profits accrued since the marquees were installed:

- The year-round capacity of the covered terrace space generates over 50% of 131's revenues from dining and drinking. Removing this would necessitate making 62 staff immediately redundant – and threaten further job losses amongst the 100+ employed at 131 and those within the supply chain due to the risk to its viability overall.
- Revenue increase of 39% from £4.38m (over 11 months pre-marquees) to £6.07m (over 11 months with the marquees). This resulted in a 858% profit increase post-marquees in comparison with a marginal profit margin of £51,000 pre-marquees.
- Marquees accounted for £9.34m in revenue from April 2020 - March 2023, representing a 53% share of the total £17.33m turnover over the 3 year COVID trading period. Without the marquees, the business would have collapsed during the pandemic.
- Spending with local suppliers increased by £820,264 post marquees.
- Commercial viability of business following previous £19m investment across the site the covered terrace offers opportunity for events, year-round trading and the assistance to the local evening economy. Neighbouring businesses, uses and activities benefit from linked trips.
- 131 offers a unique experience and is a 'pull' in terms of visitor numbers and spend to the local economy. The advantages to the vitality of the town, the activity and ambience created around this part of town are all significant benefits.
- The trajectory without a permanent replacement for the marquee space, a lack of viability and ultimately the threat of closure, plus the associated loss of all the many benefits (direct and indirect) the site as a whole generates.

6.92 Given the applicant's reliance on an economic justification for the proposed development and their views on the wider public benefits of the proposals, the Council has sought an independent review of the applicant's ES, noting also that the submitted ES has been prepared by the applicant's agent, not an economic specialist and cannot therefore be treated as impartial.

6.93 The (South West Research Company) independent review of the data used to support the economic benefits of the proposals set out by the applicant, is attached in full as an Appendix. In summary, the review comments as follows:-

1. There are many instances where claims are made without evidence to support these, particularly with regard to the figures used to demonstrate the economic impacts of the existing business and the supply chain spend and jobs impacted without the proposed development. Modelling methods exist for this and could be utilised.
2. Out of date (2019) statistics have been used in relation to hospitality/tourism in Cheltenham. There have been many changes in the sector post-Covid. In addition, the figures for the size and scale of the business are out of date, ending in March 2023.
3. The reliance on Covid lockdown periods and restrictions has the potential to skew the figures provided and over-estimate the impact of the business. This is due to the changes in consumer activity, the limited choice of venues with outdoor seating and a surge in domestic tourism during these times. Business data from 2022 would provide a more realistic overview of business performance, plus tourism in 2023 and 2024 has generally, been more challenging.

4. The report concludes that the figures and data used in the ES should not be relied upon as a solid evidence base for the proposed development.

6.94 To supplement the above, officers point to a number of broad statements made without supporting evidence e.g. '*this unique venue strengthens tourism*' and '*the importance of [the venue's] pull in terms of visitor numbers*'. There is also a lack of supporting evidence/data on the claimed linked trips and associated/non direct spend by those visiting Cheltenham. In terms of potential job losses, there is no full time equivalent data for the part time jobs at risk.

6.95 Some of the data provided in the tables is unclear/potentially misleading and some of the tables appear to be incomplete. Although the £820,000 increase in spending with local suppliers resulting from the marquees is acknowledged, it is unclear whether this increased spend has continued each year since the marquees were installed, or how much is directly attributable to the marquees.

6.96 Whilst there is no doubt that the marquees and additional covers have had a positive outcome in terms of business revenue and profits, the ES cannot be relied upon by Members as evidence of the impact of the marquees (and current proposals) on the future vitality of the town centre economy.

6.97 Environmental Benefits

6.98 Officers consider that there is little evidence of the proposals offering any environmental benefits.

6.99 The applicant has sought to address climate change and the guidance set out in the relevant Supplementary Planning Document (SPD). The submitted Energy Statement is discussed at paragraphs 6.114-120 below. Roof mounted solar are proposed but it is not clear whether alternative/additional heating systems or ancillary plant would be required to serve the restaurant. It is possible that the use of diesel fuelled generators would continue, given the location and severance of the proposed development from the main listed buildings.

6.100 Impact on Heritage Assets versus Public Benefit Test

6.101 As set out and discussed above, harm to the significance (setting) of designated heritage assets has been identified. The identified harm is considered to be less than substantial and will therefore need to be weighed against the public benefits of the proposals, as required by paragraph 215 of the NPPF.

6.102 In summary and as set out above, officers consider there to be limited public benefits associated with the proposed development. Furthermore, these benefits existed pre-Covid/prior to the installation of the marquees and it is evident that the existing marquees and increase in external covers are now allowing the business to trade more successfully. This increase in profitability does not amount to a public benefit in itself.

6.103 The town centre offers a wide range of alternative catering facilities and hotel accommodation. The proposed development, on its own, is not considered to be essential to maintain the viability/vitality of the town centre economy.

6.104 Neither is there any evidence to suggest that the proposals constitute enabling development that would bring about public benefits necessary to justify the harm that would be caused.

6.105 Whilst officers acknowledge that there are some social and economic benefits associated with the proposals, these benefits are not considered to outweigh the identified harm to the significance (including setting) of the designated heritage assets.

6.106 In conclusion, the current proposals, in terms of cover numbers and use, are not materially different from that considered by the appeal Inspector. As such, there is no reason for officers to reach a different conclusion to that of the appeal Inspector with regard to the public benefits of the proposals.

6.107 Impact on neighbouring property

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

6.109 Whilst the predominant use of surrounding development is commercial (retail, restaurant, bar, café uses), there are many dwellings located on Imperial Square and the Promenade.

6.110 Due to the location and size of the buildings proposed, there is potential for the proposals to impact upon the amenities of neighbouring land users and users of the hotel and entertainment facilities at 131; in terms of noise and disturbance and possibly light spill. In addition, there may also be noise impacts associated with any heating systems installed (diesel fuelled generators, Air Source Heat Pumps). However, the proposed development not considered to result in any unacceptable loss of light or overbearing impact on any neighbouring land user.

6.111 The Council's Environmental Health team (EHO) raise no concerns on the basis of the limited number of recorded complaints held for the address and the length of time since a complaint was last received by the EHO.

6.112 In light of the above, officers consider that the proposed development should not result in an unacceptable impact on the amenities of neighbouring land users or occupiers of the applications site. This would be subject to the imposition of planning conditions requiring details of extraction/plant equipment, heating systems, and restrictions on playing amplified and live music.

6.113 Access and highway issues

6.114 Due to the potential, permanent increase in customer numbers at the premises, the County Council Highways Development Management Team, acting as local Highway Authority (HA), was consulted on both applications.

6.115 The HA raise no objection to either proposal and comment that the proposed structures would not impact pedestrian movements on the adjacent public footways.

6.116 Sustainability

6.117 NPPF paragraph 161 states that:

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

6.118 NPPF paragraph 164 b) goes on to state that new development should be planned for in ways that *'can help to reduce greenhouse gas emissions, such as through its location, orientation and design'*.

6.119 Policy SD3 of the JCS requires all new development to be designed to contribute to the aims of sustainability by increasing energy efficiency and minimising waste and air pollution. Development proposals are also required to be adaptable to climate change in respect of the design, layout, siting, orientation and function of buildings. Similarly, Policy INF5 of the JCS sets out that proposals for the generation of energy from renewable resources or low carbon energy development will be supported.

6.120 In June 2022, Cheltenham's Climate Change SPD was adopted which identifies and provides guidance for how development can contribute to the aims of sustainability to achieve net zero carbon by 2030 and how applicants can successfully integrate a best-practice approach towards climate and biodiversity in their development proposals. The SPD is now a material consideration in the determination of planning applications.

6.121 The application includes an Energy Statement which sets out the following anticipated energy efficiencies and low carbon measures incorporated into the scheme(s), having regard to national policy guidance and the above SPD guidance for non-domestic development:

- Fabric first approach
- Installation of roof mounted solar PV array
- Passive heating and fenestration low U-values, high performance windows and solar control glazing to limit heat loss
- Possibility of roof mounted air source heat pump (ASHP) installation
- Retractable glazing/roof to maximize ventilation
- Use of sustainable building materials and locally sourced where possible
- Energy efficient lighting
- A Site Waste Management Plan would be produced

6.122 Given the nature and scale of the proposed development, the above measures (applicable to both applications) are, on balance, considered an appropriate and proportionate response to the SPD, provided each scheme delivers a non-fossil fuel alternative system for all space and water heating.

6.123 Currently, during the autumn, winter and early spring months the marquees and canopy structures are heated during the day by a number of diesel powered generators and internally mounted electric heaters. Officers would have significant concerns if these methods continued, and in direct conflict with the SPD guidance.

6.124 Other considerations

6.125 Trees

6.126 In addition to a number of trees planted within the site, there are a number of large, mature Plane trees located adjacent to and in close proximity of the site. The canopies of some of the trees overhang the existing marquees and would also overhang the proposed buildings. These trees contribute to one of the finest avenues of trees within Cheltenham.

6.127 Given the potential for damage to root protection areas, the Council's Tree Officer (TO) was consulted on the proposals. The TO confirms that the proposed structures would all be (at least partially) within the rooting areas (and zone of influence) of significant and mature street trees. The seasonal tree debris drop, blocking of light and perceived overbearing may lead to increased pressure for potentially inappropriate pruning or removal of the trees. However, this would probably be less apparent for application 24/01762/FUL. Similarly, the proposed retractable fabric for this scheme would minimise the increased sense of overbearing by the trees and compared with glass, the nature of the material would probably give less concern over the potential for breakage or soiling by tree debris drop.

6.128 An opaque roof is suggested for application 24/01763/FUL (the glass roof scheme) and for both schemes consideration should be given to how and how often the roofs of the buildings are cleaned, as there will be debris drop.

6.129 The applicant's design and access statement proposes screw pile foundations which the TO considers would be a potential damage-mitigating method of construction. As such, an arboricultural method statement was requested that should also specify all surfacing materials and the method of surfacing within RPAs. This statement has not yet been provided. An update report will follow should this information be submitted prior to the Planning Committee meeting and/or a potential additional reason for refusal added.

6.130 The TO is also concerned about the potential for water diversion away from trees but this is most likely to occur in relation to application 24/01763/FUL. Consideration should therefore be given to maintaining soil moisture content by diverting water back into the rooting environment. This could be dealt with via a subsequent detailed drainage scheme condition, and the TO consulted.

6.131 The County Council's Tree officers were also contacted for their thoughts on each scheme, as the proposals affect street trees managed by GCC. GCC has confirmed their agreement with CBC's Tree officer comments and no further concerns are raised.

6.132 Drainage

6.133 The Council's Drainage officer (DO) confirms that a sustainable drainage (SUDS) strategy would be required to mitigate the impacts of the impermeable surfaces and an agreed high level strategy required prior to determination of the applications, to demonstrate that the SUDS hierarchy would be followed and surface water not disposed to a combined sewer. The finer details of the drainage could be dealt with via a SUDS condition.

6.134 Unfortunately, the requested high level drainage strategies have not been submitted, which are in part, related to the tree related concerns raised by the TO. Again, an update report will follow should the drainage strategy be submitted ahead of the Committee meeting, or potentially, an additional reason for refusal added.

6.135 The DO notes the Tree officer's comments with regards drainage around the rooting environment of the existing trees. The infiltration of the first 5mm of rainfall, as per SUDS guidance, is therefore considered an important aspect of any future drainage design.

6.136 Public Sector Equality Duty (PSED)

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

Removing or minimising disadvantages suffered by people due to their protected characteristics;

Taking steps to meet the needs of people with certain protected characteristics where these are different from the needs of other people; and

Encouraging people with certain protected characteristics to participate in public life or in other activities where participation is disproportionately low.

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

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

7. CONCLUSION/PLANNING BALANCE AND RECOMMENDATION

7.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

7.2 NPPF paragraph 11 sets out a ‘presumption in favour of sustainable development’ which in decision making means ‘*approving development proposals which accord with an up-to-date development plan*’, unless:

i. the application of policies in this Framework that protect areas or assets of particular importance⁷ provides a strong reason for refusing the development proposed; or

ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places....

7.3 When considering the impact of a proposed development on the significance of a designated heritage asset, paragraph 212 of the NPPF stipulates that “*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.*”

7.4 All key/statutory heritage consultees (Historic England, The Georgian Group and the Council’s Senior Conservation officer) raise strong and unequivocal objections to the principle of the erecting any permanent structures within the front curtilages of the listed buildings. The proposals would represent an unprecedented form of development within the curtilages of Grade II* listed buildings in Cheltenham and would therefore serve as a very harmful precedent for similar developments elsewhere within sensitive areas of the historic environment.

7.5 Due to the location of the proposed buildings directly in front of the principal facades and covering almost the entire front curtilage of each building, the setting of the listed buildings (viewed both separately and collectively) would be permanently and significantly harmed. The architectural composition of each building, their separation and rhythm within the Conservation Area, the sweeping entrance steps, most of the entrance columns and delicately detailed and ornate upper floor balconies, would be largely screened from public view and the listed buildings’ overall appreciation lost.

7.6 Although there is a fundamental objection to the principle of development, concerns are also raised over aspects of the architectural design of the proposed structures and their

impact on the setting of the Grade II* listed buildings. For example, the lightweight metal frame and the fully opened fabric roof of the pergola scheme (24/01763/FUL), gives the appearance of a temporary marquee structure and the visual gaps between the listed buildings would be harmed and permanently reduced. The embellishment and interpretation of the Regency ironwork of the individual buildings scheme (24/01762/FUL), in combination with the internal furniture and lighting, would draw the eye and distract from the aesthetic heritage value that contributes highly to the significance of these Grade II* buildings.

- 7.7** Whilst the addition of roof mounted solar PV panels would be a welcome initiative, there are doubts and concerns about the applicant's low carbon and sustainability proposals/intentions in general, particularly in relation to the potential continued use of non-fossil fuels for space and water heating and thereby compliance with the Climate Change SPD.
- 7.8** Officers also consider that the proposals fail to address the fundamental heritage impact concerns raised by the appeal Inspector, in so far as they are relevant to the current applications.
- 7.9** The applicant's economic and public benefits justification for the proposed development has been carefully considered and the Economic Statement independently reviewed. The review findings conclude that the figures and data used in the ES should not be relied upon as a solid evidence base for the proposed development. Numerous claims are made without the evidence, up-to-date data and correct time period assessments to support these, particularly with regard to the figures used to demonstrate the economic impacts of the existing business and the supply chain spend, and jobs impacted without the proposed development.
- 7.10** As required by NPPF paragraph 207, the applicant continues to have not fully considered the significance of the heritage assets affected, including the contribution made by their setting. Equally, the applicant has provided no evidence to suggest that alternatives to development at the front of the buildings have been fully tested and that there are no other viable uses for the listed buildings that would be consistent with their conservation.
- 7.11** The (upper end) of less than substantial harm to the significance of designated heritage assets has been identified. The identified harm has been weighed against the public benefits of the proposals, as required by paragraph 215 of the NPPF. Whilst officers acknowledge that there are some wider economic and social benefits associated with both proposed schemes, these benefits are found to be limited and are not considered to outweigh the identified harm to the significance of the heritage assets.
- 7.12** In light of the above concerns, the applicant has not provided clear and convincing justification for the harm that would be caused to the significance of the designated heritage assets, as required by paragraph 213 of the NPPF. With regard to NPPF paragraph 11, and having also considered the extent to which the proposals amount to sustainable development, officers conclude that the identified harm to the significance (setting) of designated heritage assets significantly and demonstrably outweighs the benefits and there are strong reasons for refusing the development proposed.
- 7.13** Neither scheme proposed is considered acceptable and both conflict with local and national planning policy and guidance.
- 7.14** The recommendation is therefore for Members to refuse both applications for the following reasons.

8. INFORMATIVES / REFUSAL REASONS

24/01762/FUL

- 1 Nos 125, 127, 129, 131 and 133 Promenade are Grade II* listed Regency villas located prominently within Cheltenham's Central Conservation Area (Montpellier Character Area). They form part of an important group of large detached and terraced, Grade II* listed properties on the west side of the Promenade. They are of considerable aesthetic and historic significance and there are long distance and important views of the buildings from Queen's Circus, Montpellier Street, the Promenade and Imperial Square and Gardens. NPPF paragraph 212 stipulates that great weight should be given to an 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, or less than substantial harm to its significance.

Having regard to paragraphs 208, 210, 212 and 213 of the NPPF, the impact of the proposals on the significance of designated heritage assets (which includes their setting), by virtue of the location, size, form and overall appearance of the buildings proposed, is considered to neither sustain or enhance the buildings' special interest. The proposed development would occupy the majority of the front curtilages of the three listed buildings, remove important open space, obscure the lower ground and ground floor principal elevations and elements of the aesthetically sensitive architectural composition of these principal facades. The proposals would therefore result in significant harm to the setting of the listed buildings, those of adjacent structures and nearby listed buildings and the character and appearance of the Central Conservation Area. Development of this nature within the front curtilages of the listed buildings is considered fundamentally unacceptable and, if approved, could set an undesirable precedent for wholly inappropriate development elsewhere within the historic environment.

The identified harm to the heritage assets is considered to be at the upper end of less than substantial, for the purposes of paragraph 215 of the NPPF. The public benefits of the proposals are limited and not considered to outweigh the identified harm to the heritage assets. In addition, the supporting information within the application continues to demonstrate a poor understanding of the affected heritage assets and offers no clear or convincing justification for the proposed works in heritage or economic terms. The development proposals therefore fail to comply with the policy and guidance of Section 16 of the Planning (Listed Building and Conservation Area) Act 1990, Part 16 of the National Planning Policy Framework (2024), Policies SD4 and SD8 of the Joint Core Strategy (2017) and Policy D1 of the Cheltenham Plan (2020).

24/01763/FUL

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INFORMATIVE

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

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

In this instance, having had regard to all material considerations, the authority cannot provide a solution that will overcome the harm caused to the significance (setting) of the designated heritage assets.

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

Consultations Appendix

National Amenity Societies – The Georgian Group

6th December 2024 -

24/01762/FUL

Erection of glazed structures within the front curtilages of Nos 125-127, 129-131 and 133 Promenade to provide external restaurant, dining and drinking facilities associated with 131 Promenade and existing hotel. Installation of PV panels to roofs of 125-127 and 133 Promenade and removal of existing conservatory to side of 133 Promenade.

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24/01763/FUL

Erection of metal-framed pergola structures within the front curtilages of Nos 125-127, 129-131 and 133 Promenade to provide external restaurant, dining and drinking facilities associated with 131 Promenade and existing hotel. Installation of PV panels to roofs of 125-127 and 133 Promenade and removal of existing conservatory to side of 133 Promenade.

Thank you for consulting the Georgian Group on the above applications for planning permission which propose, respectively, the addition of glazed or metal-framed permanent structures against the principal elevations of three Grade II* listed buildings within the Montpellier Character Area of the Central Conservation Area. The Group objects to the principle of adding permanent structures to the most significant architectural elements of each of these villas.

Understanding the significance of the listed buildings

The Promenade was laid out in 1818 across undeveloped marshland as a tree-lined ride to connect the Sherborne Spa with the Colonnade off the High Street. By 1826, the Promenade was a carriage drive with gravel walks to either side. The subject buildings form part of the North West side which was the first area of the route to be developed. As the Heritage Impact Assessment (2.2) notes: '125-133 Promenade, along with 121 and 123, form a group of Regency villas on the north-west side which "best preserves the original character of The Promenade"'. The applicant therefore accepts the special significance of this distinguished grouping on the Promenade - an axial route of prime historic importance which is key to understanding the development of Cheltenham as a fashionable Regency spa town. As the list entry notes, Clarence House 'forms part of an outstanding group of villas overlooking Imperial Gardens with Nos 121 and 123, 125 and 127 and Nos 129 and 131 and The Queen's Hotel' and is 'a delightful little building to an intimately domestic scale' (Pevsner). Sherborne and Gloucester Lodges, designed by John Forbes c. 1833, are noted for their 'idiosyncratic capitals, a charming fantasy based on the Prince of Wales feathers' (Pevsner).

The proposals

Following the refusal of a scheme to retain temporary marquee structures ('the Covid scheme') along the front of three villas and the subsequent dismissed appeal (a complex planning history which we do not rehearse here), these applications propose a series of glazed or metal-framed permanent structures to serve as catering spaces for the 131 Hotel.

We have reviewed the drawings for both schemes and are very clear that the significance of the three Grade II* buildings would be harmed by the proposed development on their principal elevations and within their immediate setting. Our objection is a matter of principle and there is therefore little merit in offering comment on the specifics of each scheme's materiality and detailing. In their different ways, both constitute an unacceptable visual distraction obscuring original features and competing with and dominating the highly-designated assets. We place this harm at the high end of less than substantial in NPPF terms.

Our recommendation

We recommend your authority dismisses the argument made by the applicant (see Heritage Statement 5.2) that the visual harm accruing from the current proposals 'is far less than the Covid scheme'. The correct baseline for comparison, as Historic England states (letter of 25 November), cannot be the marquee structures; these never had formal planning permission and are not a relevant consideration.

Paragraph 205 of the NPPF requires the decision maker to attach 'great weight' to a designated heritage asset's conservation when considering the impact of a proposed development. The NPPF goes on to state (paragraph 206) that any harm to a designated heritage asset - including harm that would arise from development within its setting - should require 'clear and convincing justification'. Although the buildings affected are highly-graded assets, at present neither of these key policy tests has been met.

We take this opportunity to remind your authority that a Conservation Area is a designated heritage asset for the purposes of the NPPF and that under Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 local authorities have a duty to pay special attention to the desirability of preserving or enhancing the character or appearance of Conservation Areas.

Historic England has advised the applicant to explore a less harmful permanent solution to the rear of the building. It is to a meaningful exploration of options for this solution that we urge the applicant to return. We recommend that your authority refuses the present applications.

Historic England – 24/01762/FUL

25th November 2024-

Thank you for your letter of 7 November 2024 regarding the above application for planning permission. On the basis of the information available to date, we offer the following advice to assist your authority in determining the application.

Historic England Advice

Summary

While the proposed design has been steered by a more contextual approach, the principle of any development to the front of the principal elevations of the Grade II* Regency villas would be harmful to their significance. As we have consistently advised in the past, consideration should be given to some careful development to the rear of the buildings and the front cleared of the existing marquees. We do not oppose the use of the front terraces for external dining, but rather do not support any temporary or permanent structures here. We do not object to the removal of the modern conservatory or the principle of photovoltaic panels on the roof, subject to further information.

Significance of Designated Heritage Assets

Located in the heart of historic Cheltenham, the semi-detached villas at no 125-133 are highly representative of the blossoming of Cheltenham as a Regency Spa town, between the end of the 18th and the beginning of the 19th century. Built in the early 1830s and attributed mainly to architect John Forbes; the paired villas sit within their own garden plot behind railings and gated walls (separately listed Grade II).

They present a double pile plan and rise for two storeys plus attics over basements. Internally they retain much of their plasterwork and in some cases further original features such as staircases and fireplaces survive. Externally, despite some differential treatment in the fenestration and architectural detailing of their elevations, they are unified in materiality and massing, and clearly exemplify the formal and elegant Regency development phase of the area.

The villas are located on The Promenade, one of the spinal axes of Montpelier Character Area, part of the Central Conservation Area. This is an area characterised by spaciousness, a loose urban grain around wide tree-lined roads and formal green spaces, with medium and long vistas that open up towards larger public and civic buildings. These properties contribute to and are enhanced by the distinctive character and appearance of Montpelier, considered as part of their immediate setting.

The terrace of villas is designated as Grade II*, and as such is in the top 8% of listed buildings. Therefore, greater weight should be given to its conservation. The National Planning Policy Framework (NPPF) defines 'conservation' as 'the process of maintaining and managing change to a heritage asset in a way that sustains and, where appropriate, enhances its significance'.

Summary of proposals.

Following the refusal of the previous scheme to retain the existing marquee structures along the front of three villas and the subsequent dismissed appeal, the application proposes a revised scheme for an alternative design approach for a range of glazed structures to serve as catering spaces for the hotel.

Impact of the Proposed Development

As per our previous advice on the existing structures, and a subsequent application to amend the roof profile, we concluded that any development on the south side of the villas would be harmful to their heritage significance, for reasons that have already been extensively rehearsed and covered in the Planning Inspectors report.

The revised layout and particularly the design approach, which is clearly articulated and referenced in the submitted documents, is an improvement on the existing temporary marquees. There is clarity and legibility from a contextual steer and certainly in some parts of Cheltenham, this would seem a perfectly valid design approach for a garden-type building. However, the heritage values that make up the significance of all three Grade II* villas would be significantly diminished by any form of development on this elevation.

The architectural composition of each building, their separation and rhythm within the Conservation Area, and also the setting of each, would still be obscured by the proposed additions. We acknowledge that the revised layout has proposed a degree of separation in plan form; however the benefit of this would only be apparent from limited positions.

While the design has included a degree of embellishment, interpreting the Regency ironwork of local balconies and canopies, this would tend to have the effect of drawing the eye and visually distracting from the upper floors of the three villas, compromising their aesthetic heritage value.

There would be no adverse impact or harm as a result of removing the modern conservatory, which we believe was added during 2018. However, this would not be considered to mitigate the harm caused by the proposed development to the front of the buildings, on account of partially reinstating views and separation between nos 131 and 133.

There is no potential for visual impact caused by the erection of PV panels on the roofs of nos 125-127 and no. 133. However, there is insufficient information relating to the construction and fixings of the panels and how these might impact upon the historic fabric of

the roofs. If these proposals were to be pursued as part of this application or a future submission, we would expect additional supporting information to make our assessment.

Planning Legislation & Policy Context

Central to our consultation advice is the requirement of the Planning (Listed Buildings and Conservation Areas) Act 1990 in Section 66(1) for the local authority to “have special regard to the desirability of preserving the building or its setting or any features of architectural or historic interest which it possesses”. Section 72 of the act refers to the council’s need to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area in the exercise of their duties.

When considering the current proposals, in line with paragraph 200 of the NPPF, the significance of the asset requires consideration, including the contribution of its setting. The setting of The Promenade is a major aspect of its significance. Paragraph 205 states that in considering the impact of proposed development on significance, great weight should be given to the asset’s conservation and that the more important the asset the greater the weight should be. The Promenade is Grade II*, a heritage asset of the highest significance. Paragraph 206 goes on to say that clear and convincing justification is needed if there is loss or harm.

Historic England’s advice is provided in line with the importance attached to significance and setting with respect to heritage assets as recognised by the Government’s revised National Planning Policy Framework (NPPF) and in guidance, including the Planning Practice Guidance (PPG), and good practice advice notes produced by Historic England on behalf of the Historic Environment Forum (Historic Environment Good Practice Advice in Planning Notes (2015 & 2017)).

The significance of a heritage asset can be harmed or lost through alteration or destruction of the asset or development within its setting. As heritage assets are irreplaceable, any harm (whether substantial or less than substantial) is to be given great weight, and any harm to, or loss of, the significance of a designated heritage asset (or site of equivalent significance) should require clear and convincing justification.

Position.

We have visited the site and have been shown around the building complex and associated structures by the applicant. The function of each of each of the spaces, both internal and external (within the marquees) was explained, together with the business rationale. The bar and restaurant offer between the three villas is substantial and we still believe that there is still some scope to deliver a permanent solution to the rear of the building, which could also provide a more fit-for-purpose wedding function space, as we understand this to be another offer of the venue. While an extension or extensions here would still impact on the setting of the GII* villas, this is likely to be significantly less than that resulting from anything on the principal aspect.

The NPPF requires the applicant to provide clear and justification where harm to significance has been identified. The justification provided in the Heritage Statement rests on the need to ensure that the listed buildings are in a long term sustainable and viable use, and that the additional space will contribute to this, and the contribution to local jobs and the economic vitality of Cheltenham. We certainly concur that all listed buildings need a long term sustainable use. However, your authority should assess whether or not the proposed development is required to deliver the optimum viable use for the three villas.

The impact and harm to the significance of the heritage assets will need to be balanced against the perceived public benefit, for which Historic England has no locus. However, the Planning Inspector made a point in their decision (para 40) relating to the impact of providing space for eating/drinking versus the provision of covered structures. We concur with this view

that the issue of concern does not lie with aspirations to provide outside seating for customers, but solely the proposed buildings to the front of the three villas.

We have no issue with the front terraces to each villa being used for outside seating, providing additional restaurant covers in the same way as many other catering businesses in Cheltenham. However, it is rather the principle of significant structures located on the most significant architectural aspect of each of the villas that Historic England opposes. Furthermore, any approval would serve as a very harmful precedent for similar developments elsewhere within sensitive areas of the historic environment.

The Appeal Decision also recognised that there was insufficient information provided to fully assess the public benefits of the scheme. We note, however, that an Economic Impact Statement has now been submitted. It is not for Historic England to make comments on such matters, but your authority will be tasked in assessing this as part of making the planning balance. However, the NPPF requires local planning authorities to give great weight to the conservation of heritage assets and that the more significant the asset is, the greater the weight shall be given.

We recognise that the revised approach to providing a permanent solution to replacing the existing tented marquees would reduce the visual impact on the principal elevations of the GII* villas. However, the existing structures have never had formal planning permission and should not be considered as a precedent for considering alternative designs.

The significance of the three Grade II* buildings would be harmed by the proposed development within their principal setting. The Regency-inspired ironwork and leaded canopy roofs would deliver an architectural statement in front of the formal faces of each of the villas, and in addition to the internal furniture, lighting etc, this would distract from the aesthetic heritage value that contributes highly to the significance of the Grade II* buildings. While the harm would be less than substantial (NPPF 208), this does not mean your authority should immediately proceed to the “balancing exercise” of weighing the harm we have identified against any wider public benefits.

We still believe that the areas to the rear of the villas, while still contributing positively to their significance and the character and appearance of the Conservation Area, is less sensitive to change and alternatives should be further explored here. Page 37 of the Heritage Impact Assessment responds to our previous advice that development to the rear of the buildings should be considered. However, the applicant does not explain why this option has not been considered or options here tabled for discussion. Therefore, we are not persuaded that harm has been minimised or indeed justified, and therefore your authority would be justified in rejecting the proposals

Recommendation

Historic England has concerns regarding the application on heritage grounds. We consider that the issues and safeguards outlined in our advice need to be addressed in order for the application to meet the requirements of paragraphs 205, 206 and 212 of the NPPF. In determining this application you should bear in mind the statutory duty of section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess and section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.

Your authority should take these representations into account. If there are any material changes to the proposals, or you would like further advice, please contact us.

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Thank you for your letter of 7 November 2024 regarding the above application for planning permission. On the basis of the information available to date, we offer the following advice to assist your authority in determining the application.

Historic England Advice

Summary

While the proposed design has a lower roof profile than that of the existing structures, the principle of any development to the front of the principal elevations of the Grade II* Regency villas would be harmful to their significance. As we have consistently advised in the past, consideration should be given to some careful development to the rear of the buildings and the front cleared of the existing marquees. We do not oppose the use of the front terraces for external dining, but rather do not support any temporary or permanent structures here. We do not object to the removal of the modern conservatory or the principle of photovoltaic panels on the roof, subject to further information.

Significance of Designated Heritage Assets

Located in the heart of historic Cheltenham, the semi-detached villas at no 125-133 are highly representative of the blossoming of Cheltenham as a Regency Spa town, between the end of the 18th and the beginning of the 19th century. Built in the early 1830s and attributed mainly to architect John Forbes; the paired villas sit within their own garden plot behind railings and gated walls (separately listed Grade II).

They present a double pile plan and rise for two storeys plus attics over basements. Internally they retain much of their plasterwork and in some cases further original features such as staircases and fireplaces survive. Externally, despite some differential treatment in the fenestration and architectural detailing of their elevations, they are unified in materiality and massing, and clearly exemplify the formal and elegant Regency development phase of the area.

The villas are located on The Promenade, one of the spinal axes of Montpelier Character Area, part of the Central Conservation Area. This is an area characterised by spaciousness, a loose urban grain around wide tree-lined roads and formal green spaces, with medium and long vistas that open up towards larger public and civic buildings. These properties contribute to and are enhanced by the distinctive character and appearance of Montpelier, considered as part of their immediate setting.

The terrace of villas is designated as Grade II*, and as such is in the top 8% of listed buildings. Therefore, greater weight should be given to its conservation. The National Planning Policy Framework (NPPF) defines 'conservation' as 'the process of maintaining and managing change to a heritage asset in a way that sustains and, where appropriate, enhances its significance'.

Summary of proposals

Following the refusal of the previous scheme to retain the existing marquee structures along the front of three villas and the subsequent dismissed appeal, the application proposes an alternative revised scheme for a steel-framed pergola to serve as catering spaces for the hotel. Proposals also include the removal of a modern conservatory attached to the north-east side of no.133 and PV arrays on the roofs of no. 133 and nos. 125-127.

Impact of the Proposed Development

As per our previous advice on the existing structures, and a subsequent application to amend the roof profile, we concluded that any development on the south side of the villas would be harmful to their heritage significance, for reasons that have already been extensively rehearsed and covered in the Planning Inspectors report.

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The proposed revised design is for a continuous (in length) steel framed pergola with a retractable canopy roof. The frame is visually unrefined and would be experienced as a utilitarian and unrelenting structure against the principal elevations of the Grade II* villas. The submitted elevations and perspective images do not include the roof fully open and therefore do not exhibit the full visual impact of the structure. It would be assumed that it is unlikely that the roof would be often be retracted, particularly as this would be difficult secure through planning conditions. Therefore the impacts of the structure should be based upon the frame and the fully opened fabric roof, giving the appearance of a temporary marquee structure, but with a less assertive roof than the existing arrangement.

The heritage values that make up the significance of all three Grade II* villas would be significantly diminished by any form of development on this elevation and the proposed frame would appear incongruous in its form, detailing and materiality.

There would be no adverse impact or harm as a result of removing the modern conservatory, which we believe was added during 2018. However, this would not be considered to mitigate the harm caused by the proposed development to the front of the buildings, on account of partially reinstating views and separation between nos 131 and 133.

There is no potential for visual impact caused by the erection of PV panels on the roofs of nos 125-127 and no. 133. However, there is insufficient information relating to the construction and fixings of the panels and how these might impact upon the historic fabric of the roofs. If these proposals were to be pursued as part of this application or a future submission, we would expect additional supporting information to make our assessment.

Planning Legislation & Policy Context

Central to our consultation advice is the requirement of the Planning (Listed Buildings and Conservation Areas) Act 1990 in Section 66(1) for the local authority to “have special regard to the desirability of preserving the building or its setting or any features of architectural or historic interest which it possesses”.

Section 72 of the act refers to the council’s need to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area in the exercise of their duties.

When considering the current proposals, in line with paragraph 200 of the NPPF, the significance of the asset requires consideration, including the contribution of its setting. The setting of The Promenade is a major aspect of its significance. Paragraph 205 states that in considering the impact of proposed development on significance, great weight should be given to the asset’s conservation and that the more important the asset the greater the weight should be. The Promenade is Grade II*, a heritage asset of the highest significance. Paragraph 206 goes on to say that clear and convincing justification is needed if there is loss or harm. Historic England’s advice is provided in line with the importance attached to significance and setting with respect to heritage assets as recognised by the Government’s revised National Planning Policy Framework (NPPF) and in guidance, including the Planning Practice Guidance (PPG), and good practice advice notes produced by Historic England on behalf of the Historic Environment Forum (Historic Environment Good Practice Advice in Planning Notes (2015 & 2017)).

The significance of a heritage asset can be harmed or lost through alteration or destruction of the asset or development within its setting. As heritage assets are irreplaceable, any harm (whether substantial or less than substantial) is to be given great weight, and any harm to, or loss of, the significance of a designated heritage asset (or site of equivalent significance) should require clear and convincing justification.

Position.

We have visited the site and have been shown around the building complex and associated structures by the applicant. The function of each of each of the spaces, both internal and external (within the marquees) was explained, together with the business rationale. The bar and restaurant offer between the three villas is substantial and we still believe that there is still some scope to deliver a permanent solution to the rear of the building, which could also provide a more fit-for-purpose wedding function space, as we understand this to be another offer of the venue. While an extension or extensions here would still impact on the setting of the GII* villas, this is likely to be significantly less than that resulting from anything on the principal aspect.

The NPPF requires the applicant to provide clear and justification where harm to significance has been identified. The justification provided in the Heritage Statement rests on the need to ensure that the listed buildings are in a long term sustainable and viable use, and that the additional space will contribute to this, and the contribution to local jobs and the economic vitality of Cheltenham. We certainly concur that all listed buildings need a long term sustainable use. However, your authority should assess whether or not the proposed development is required to deliver the optimum viable use for the three villas.

The impact and harm to the significance of the heritage assets will need to be balanced against the perceived public benefit, for which Historic England has no locus. However, the Planning Inspector made a point in their decision (para 40) relating to the impact of providing space for eating/drinking versus the provision of covered structures. We concur with this view that the issue of concern does not lie with aspirations to provide outside seating for customers, but solely the proposed buildings to the front of the three villas.

We have no issue with the front terraces to each villa being used for outside seating, providing additional restaurant covers in the same way as many other catering businesses in Cheltenham. However, it is rather the principle of significant structures located on the most significant architectural aspect of each of the villas that Historic England opposes. Furthermore, any approval would serve as a very harmful precedent for similar developments elsewhere within sensitive areas of the historic environment.

The Appeal Decision also recognised that there was insufficient information provided to fully assess the public benefits of the scheme. We note, however, that an Economic Impact Statement has now been submitted. It is not for Historic England to make comments on such matters, but your authority will be tasked in assessing this as part of making the planning balance. However, the NPPF requires local planning authorities to give **great weight** to the conservation of heritage assets and that the more significant the asset is, the greater the weight shall be given.

We recognise that the revised approach to providing a permanent solution to replacing the existing tented marquees would marginally reduce the visual impact on the principal elevations of the GII* villas. However, the existing structures have never had formal planning permission and should not be considered as a precedent for considering alternative designs.

The significance of the three Grade II* buildings would be harmed by the proposed development within their principal setting. The proposed steel frame and obscuring fabric roof would distract from the aesthetic heritage value that contributes highly to the significance of the Grade II* buildings. While the harm would be less than substantial (NPPF 208), this does not mean your authority should immediately proceed to the “balancing exercise” of weighing the harm we have identified against any wider public benefits.

We still believe that the areas to the rear of the villas, while still contributing positively to their significance and the character and appearance of the Conservation Area, is less sensitive to change and alternatives should be further explored here. The Design and Access Statement provides some explanation to why routes from the existing kitchen to the rear of no.133

would be difficult. However, there is little in the way of alternative options that could deliver a viable alternative for the business. Therefore, we are not persuaded that harm has been minimised or indeed justified, and your authority would be justified in rejecting the proposals.

Recommendation

Historic England has concerns regarding the application on heritage grounds. We consider that the issues and safeguards outlined in our advice need to be addressed in order for the application to meet the requirements of paragraphs 205, 206 and 212 of the NPPF. In determining this application you should bear in mind the statutory duty of section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess and section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.

Your authority should take these representations into account. If there are any material changes to the proposals, or you would like further advice, please contact us.

Heritage and Conservation – 24/01762/FUL

31st January 2025-

125. 127, 129. 131 and 133 Promenade. Proposed development within the curtilages of Grade II (starred) listed buildings.

The application lies on the northern edge of Imperial Gardens, facing Promenade with Montpellier Street directly to its western boundary.

The proposal seeks to replace the existing range of adjoining marquees. They were constructed as a temporary use to ensure the existing restaurant and bar trading continued during the period of Covid restrictions. The temporary use and nature of construction contribute to the appearance of a large tent - like enclosure.

The structure was erected without the benefit of planning permission and is subject to ongoing Planning Enforcement proceedings. Comparisons of scale, size, height, footprint or bulk of the current application and the existing unauthorised structure are considered inappropriate as the existing built form has no validity.

Relevant Legislation and Policy

Of particular importance is the Planning (Listed Buildings and Conservation Areas) Act 1990. Section 16 (2) requires local planning authorities to have special regard to the desirability of preserving the special architectural or historic interest of listed buildings and their setting and Section 72 (1), which requires local planning authorities to pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area.

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

A core principle of the National Planning Policy Framework 2024 (NPPF) is for heritage assets to be conserved in a manner appropriate to their significance. Chapter 16, paras 202 - 216 set out how potential impacts on heritage assets shall be considered.

In addition, the National Planning Policy Framework (NPPF) 2024, states: 'The value of a heritage asset to this and future generations because of its heritage interest. The interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset's physical presence, but also from its setting.....' (NPPF, Annex 2: Glossary).

The assessment takes account of the relevant considerations in these paragraphs, including para.203 of the NPPF, which requires heritage assets to be sustained and enhanced and

para 207, which requires clear and convincing justification for any harm to, or loss of, the significance of a designated heritage asset and para. 214, which addresses harm, specifically where a development will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

Proposed design

The application involves the construction of four large, predominately glazed, single storey, flat roofed buildings which align with the villas located directly behind. The buildings represent separate, independent construction, set parallel to the front façades of the five Grade II* listed buildings.

The single storey buildings will not be physically linked to their host buildings and will be identified as stand-alone structures. They will appear contemporary but with the addition of metal framing, mimicking historic Regency detailing found elsewhere within the conservation area. In this context, the design represents pastiche; it attempts to replicate details of period buildings but it is clearly of a modern form.

The application includes the introduction of PV panels on existing flat roof areas to provide heating within the proposed development. The principle of these alterations and introduction is welcomed. In addition, a modern side conservatory will be removed which is supported.

There are vistas through gaps between the proposed restaurant buildings which will allow views beyond the existing villas of Cheltenham Ladies College. Except for views approximately perpendicular to the front elevations, the perception of the four buildings visually 'merging' will prevail from many viewing points. In addition, due to the height of the proposed development, public views from the north side of Promenade will ensure most of the lower half of the buildings will be obscured.

Setting

Due to the location of the proposed development directly in front of the principal facades, the setting of the buildings (viewed separately and collectively) will be permanently harmed due to the development within their curtilages. In addition, their significance will be permanently harmed due to the lower and ground floor windows being substantially blocked visually by the single storey structures. In addition, the sweeping entrance steps will be hidden from public view, most of the entrance columns and delicately detailed and ornate upper ground floor balconies will also be screened by the proposed buildings. The Grade II listed railings will be impacted due to the proximity of the buildings. Although designed to be as visually permeable as possible, the application proposals do not indicate the restaurant paraphernalia such as large planters, tables, chairs and constant and movement from staff and those frequenting the restaurant and bar. The perception of visual permeability will be significantly reduced when the demountable glazed panels are installed or during opening hours and when the interior of the spaces is illuminated by artificial light.

The principal facades of the villas affected by the proposals were designed to delight and impress those in the vicinity and for those inside the buildings to enjoy unrestricted views across Imperial Gardens. They convey aesthetically sensitive architectural composition for those viewing the principal façades from the public domain. The views are most prominent when approached from the north, south and from many vantage points within and around the boundary of Imperial Gardens.

The original plan form of historic development around the edge of Imperial Gardens indicates a strong characteristic in relation to the original building line around the Gardens. In stark contrast, the proposal will introduce new buildings significantly forward of the established building line within the open space in the curtilage of properties 125 – 133 Promenade. In

addition, the buildings are viewed collectively as well as individually in a very prominent and sensitive location within the Central Conservation Area (Montpellier Character Area).

Impact on setting

NPPF (2024) states: 'The surroundings in which a heritage asset is experienced, its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset may affect the ability to appreciate that significance or may be neutral'. (Annex 2: Glossary)

It is clear the issue of setting is not fixed by any specific distance and will vary from one situation from another. In this context, the proposed development within the curtilages of 125-127, 129-131 and 133 will significantly affect a wider area beyond its immediate vicinity.

The setting of the following statutory protected heritage assets will also be also impacted:

- The setting of five Grade II* buildings. The application proposes development in the front curtilage of all of them.
- The setting of the Grade II listed railings and gates forming the boundary of their curtilage
- The setting of the adjacent Grade II* listed Queen's Hotel.
- The setting of the adjacent Grade II listed memorial.
- The setting of many Grade II listed buildings which are located on the boundary which forms Imperial Gardens.
- The setting of Imperial Gardens.
- The impact on the Central Conservation Area (Montpelier Character Area).

The Setting of Heritage Assets (Historic England – Historic Environment Good Practice Advice, Planning Note 3 (2nd Edition) states:

Item 3 – 'The statutory obligation on decision-makers to have special regard to the desirability of preserving listed buildings and their settings, and the policy objectives in the NPPF and the PPG establishing the twin roles of setting: it can contribute to the significance of a heritage asset, and it can allow that significance to be appreciated. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the heritage asset's conservation, including sustaining significance'.

The skeletal frames and flat roof structures will represent a permanent presence in front of the existing principal façades directly behind and significantly impact upon their setting and significance and remove the important open space (the original front gardens) within their curtilage.

Item 4 - 'Consideration of the contribution of setting to the significance of heritage assets, and how it can enable that significance to be appreciated, will always include the consideration of views....'

Views from the villas and how they will be impacted are an important consideration but are not mentioned within the applicant's submission. From the upper ground floor windows there will be views in the foreground of the roofs of the proposed structures instead on an open space.

Item 5 - 'Consideration of the contribution of setting to the significance of heritage assets, and how it can enable that significance to be appreciated, will almost always include the consideration of views.....'

The significance of the heritage assets will be compromised due to the detrimental impact of their setting by the front curtilage development. Typically, in Regency architecture, the greater the spatial area beyond the footprint of the building, the greater the historic and architectural status of the original building/s. In this context, the villas have limited open space at the rear of the properties but have always enjoyed the benefit of generous open

spaces to the front for a town centre location. The proposed development will consume most of these spaces with buildings directly in front of the front facades. This will represent an unprecedented form of development within the curtilage of a Grade II (starred) building within Cheltenham. In addition, the proposed buildings will be highly detrimental to the significance of all the villas by virtue of the loss of the sense of openness between the listed buildings and the Promenade and the visual loss of much of the historic, architectural and the aesthetic composition of most of the lower areas of buildings which will vary regarding the position of views within the public realm.

Item 8 - 'While setting can be mapped in the context of an individual application or proposal, it cannot be definitively and permanently described for all time as a spatially bounded area or as lying within a set distance of a heritage asset.....'

Item 9 - 'Setting and the significance of heritage assets is not a heritage designation, although land compromising a setting may itself be designated. Its importance lies in what it contributes to the significance of the heritage asset or to the ability to appreciate that significance.....'

The collective hierarchy and Grade II* status of the villas is reflected (in part) by the open spaces between the buildings and Promenade. The proposed development will remove these spaces (former front gardens) to form the new buildings.

Item 9 also states:

'Sustainable development under the NPPF can have important positive impacts on heritage assets and their settings, for example by bringing an abandoned building back to in to use or giving a heritage asset further life. However, the economic viability of a heritage asset can be reduced if the contribution made by its setting is diminished by badly designed or insensately locate development.....'

Item 10 relates to views and setting – 'The contribution of setting of the significance of a heritage asset is often expressed by reference to views, a purely visual impression of an asset or place which can be static or dynamic, long, short or of lateral spread, and include a variety of views of, from, across or including the asset.'

Views from listed buildings are important. From the upper ground floors, views will be altered; the open space in front of the windows (the former front gardens) will be replaced with by four large buildings with limited views of Imperial Gardens now only having a background setting. The foreground views from the villas will show the visual prominence of the roof structures of the proposed four buildings with views within the proposed interiors and all of restaurant paraphernalia clearly visible. Sound transmission from the proposed development will also impact the upper ground floor of the villas. In addition, unrestricted views across the open green space directly opposite will be compromised due to the proposed roofscape of the development.

Character of Central Conservation Area

The Villas are located on the Promenade, one of the spinal axis roads of Montpellier Character Area, part of the Central Conservation Area. This area is an area that, particularly where the properties in question are located, is characterised by spacious and loose urban grain around wide tree lined roads and formal green spaces, and medium and long vistas that open towards larger public buildings. The properties subject to this application both contribute to and are enhanced by the distinctive character and appearance of Montpellier, which is to be considered part of their immediate setting.

The detailed character of the area is documented in the Central Conservation Area (Montpellier Character Area) Appraisal. One of its outstanding features and characteristics the area offers is the numerous, extensive and diverse range of cafes, bars and restaurants

within walking distance of the Promenade. The application seeks a substantial increase in the capacity of the existing restaurant. The potential collateral, long-term economic impact and sustainability on existing bars or restaurants in the conservation area which may be impacted due the proposal has not been appraised.

Mitigating the harmful impact

The applicant's Heritage Impact Assessment (produced by Donald Insall Associates) confirms an "audit" has taken place and the increase in the number of required covers cannot be achieved without the new buildings. However, some of the proposed development (essentially to increase restaurant covers) may be able to be achieved (in part) without the proposed development located within the front curtilage of the listed buildings whilst preserving the character and appearance of the character on the conservation area. Such options may include reviewing the internal restaurant seating configuration to increase covers, single storey extension/s elsewhere and away from the principal elevations or additional premises elsewhere for example. The planning authority would welcome such discussions at a future date.

Conclusion

The proposal would be detrimental to the significance and setting the Grade II* listed buildings due to the proposed development within their curtilages. Due to the location of the proposed buildings, it will visually shroud much of the upper ground and lower ground floors of the villas and physically dominate the area of proposed development, with the existing prominence and significance of the listed building facades being 'devalued'; they will form the background, and the new development set forward, very close to the adjacent public pedestrian thoroughfare. In addition, it will have a negative impact on numerous statutory listed heritage assets within the southern, eastern and western residential properties forming the boundary of Imperial Gardens as highlighted above. It will create a row of alien and uncharacteristic structures in one of the most prominent, architecturally significant and sensitive areas within the whole of Cheltenham and will not 'preserve or enhance' the character or appearance of the conservation area. The scale of heritage assets affected is wide-ranging and significant.

There is acknowledgement that there will be public benefits. The proposal will increase employment opportunities associated with the bar/restaurant which will be generated due to the enlargement of the existing facilities. It will introduce vibrancy to the street scene in the immediate area (which existed prior to the unauthorised existing structures) in the form of outside eating/drinking facilities as the design includes the option of demountable glazed walls, thus creating the option of an outside experience. However, the limited public benefits do not outweigh the harm of the proposal.

The setting and significance of so many heritage assets will be significantly compromised. The proposal is close to 'substantial harm,' but this threshold is high. I am also aware no historic fabric will be harmed. I therefore consider the upper end scale of 'less than substantial harm' is appropriate in relation to the impact on setting and significance.

Where appropriate, the principle of achieving the optimum viable use for the site is supported. However, this proposal will be to the detriment of the setting and significance of the designated heritage assets within the proposed site area and part of the conservation area where it is sited.

There are no other examples within this part of the conservation area of a similar scale or indeed any new development being constructed directly in front of the principal façade/s of any listed building/s. In this context, the proposal would be setting a precedent.

It is the principle of development in such a sensitive location which remains the overriding concern. For the above reasons I recommend planning permission is refused.

Heritage and Conservation 24/01763/FUL

31st January 2025-

125, 127, 129, 131 and 133 Promenade. Proposed development within curtilage of the listed buildings.

The application site lies on the northern edge of Imperial Gardens, facing Promenade with Montpellier Street directly to its Weston boundary.

The proposal seeks to replace the existing range of adjoining marquees. They were constructed as a temporary use to ensure restaurant and bar trading continued during the period of Covid restrictions. The temporary use and nature of construction contribute to the appearance of a large tent - like enclosure for a special event and then to be dismantled.

The structure was erected without the benefit of planning permission and is subject to on-going Planning Enforcement Notice. Comparisons of scale, size, height, footprint or bulk of the current application and the existing unauthorised structure are considered inappropriate as the existing built form has no validity.

Proposed design

The application involves the construction of a long, ranging, predominately glazed single storey, flat (demountable) roof building with Nos 125,127,129,131 and 133 villas located directly behind. The design represents a detached construction set parallel to the front façades of the Grade II* buildings. The single storey structures will not be physically linked to their host building and will be identified as a stand-alone building. It will represent a contemporary form and design, seen in the context of one of most sensitive historic areas within Cheltenham.

The application includes the introduction of PV panels on existing flat roof areas to the listed buildings to provide heating within the proposed development. Subject to further detail, the principle of these alterations and introduction is welcomed. In addition, the proposal includes the loss of a modern side conservatory which is supported.

Due to its alien and incongruous form in relation to its historic context, the building will visually dominate the listed villas, particularly when viewed in twilight or darkness due to its high degree of glazing, internal illumination and continuous activity from within it.

Relevant legislation and Policy

Of particular importance is the Planning (Listed Buildings and Conservation Areas) Act 1990. Section 16 (2) requires local planning authorities to have special regard to the desirability of preserving the special architectural or historic interest of listed buildings and their setting and Section 72 (1), which requires local planning authorities to pay special regard to the desirability of preserving or enhancing the character or appearance of a conservation area.

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

A core principle of the National Planning Policy Framework 2004 (NPPF) is for heritage assets to be conserved in a manner appropriate to their significance. Chapter 16, paras 202 – 2016 set out how potential impacts on heritage assets shall be considered.

In addition, the National Planning Policy Framework (NPPF) states: 'The value of a heritage to this and future generations because of its heritage interest. The interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset's physical presence, but also from its setting....' (NPPF, Annex 2 – Glossary).

This assessment takes account of the relevant considerations in these paragraphs, including para 203 of the NPPF, which requires heritage assets to be sustained and enhanced and para 207, which requires clear and convincing justification for any harm to, or loss of, the significance of a designated heritage asset and para 214, which addresses harm, specifically where a development will lead to less than substantial harm to the significance of a designated heritage asset, this harm is weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

Setting

National Planning Policy Framework (NPPF), 2024 states: 'The value of a heritage asset to this and future generations because of its heritage interest. The interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset's physical presence, but also from its setting.....' (NPPF, Annex 2: Glossary).

Due to the location of the proposed development directly in front of the principal facades, the setting of the buildings (viewed separately and collectively) will be permanently harmed by virtue of the structures within their curtilages. In addition, their significance and public appreciation will be permanently and adversely harmed due to the lower and upper ground floor windows being substantially blocked by the single storey structure. In addition, it will hide/screen significant architectural detail including sweeping entrance steps, intricate and ornate upper ground floor cast iron balconies, and the lower areas of entrance doors. Although designed to be as visually permeable as possible, the application drawings do not indicate restaurant paraphernalia such as large planters, tables, chairs and constant movement from staff and those frequenting the restaurant and bar. The perception of visual permeability will be significantly reduced when the demountable glazed panels are installed or during opening hours when the interior of the spaces is artificially illuminated.

The villas affected by the proposals were designed to delight and impress others in the vicinity; they offer aesthetically sensitive, architectural composition exemplified by the principal façade designs. The views are most prominent when approached from the north, south and from many vantage points within and around the boundary of Imperial Gardens.

The original plan form of historic development around the edge of Imperial Gardens indicates a strong characteristic in relation to the original building line around the Gardens. In stark contrast, the proposal will introduce new structures (significantly forward of the established historic building line) and within the open spaces within the curtilages of the proposed development. In addition, it is situated in a very prominent and sensitive location within the Central Conservation Area (Montpellier Character Area).

Impact on setting

NPPF (2024) states: 'The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset may affect the ability to appreciate that significance or may be neutral'. (Annex 2: Glossary)

It is clear the issue of setting is not fixed by any specific distance and will vary from one situation from another. In this context, the proposed development within the curtilages of 125-127, 129-131 and 133 will significantly affect a wider area beyond its immediate vicinity. The setting of the following statutory protected heritage assets will also be impacted:

- The setting of five Grade II* listed buildings. The application proposes development in the curtilage of all of them.
- The setting of the assisted Grade II listed railings and gates forming the boundary of their curtilage
- The setting of the adjacent Grade II* listed Queen's Hotel.

- The setting of the adjacent Grade II listed memorial
- The setting of many Grade II listed buildings which are located on the boundary which forms Imperial Gardens.
- The setting of Imperial Gardens
- The impact on the Central Conservation Area (Montpelier Character Area).

The Setting of Heritage Assets (Historic England – Historic Environment Good Practice Advice, Planning Note 3 (2nd Edition) states:

Item 3 – ‘The statutory obligation on decision-makers to have special regard to the desirability of preserving listed buildings and their settings, and the policy objectives in the NPPF and the PPG establishing the twin roles of setting: it can contribute to the significance of a heritage asset, and it can allow that significance to be appreciated. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the heritage asset’s conservation, including sustaining significance’.

The skeletal frame and flat roof structure will represent a permanent presence in front of the principal façades and a significantly impact upon their setting and remove the important open space (the original front gardens) within their curtilage.

Item 4 - ‘Consideration of the contribution of setting to the significance of heritage assets, and how it can enable that significance to be appreciated, will always include the consideration of views....’

Views from the Villas and how they will be altered are an important consideration but have not been appraised within the applicant’s submission.

Item 5 - ‘Consideration of the contribution of setting to the significance of heritage assets, and how it can enable that significance to be appreciated, will almost always include the consideration of views.....’

The significance of the heritage assets will be compromised due to the detrimental impact of their setting by the front curtilage development. Typically, in Regency architecture, the greater the spatial area beyond the footprint of the building, the greater the historic and architectural status of the original building/s. In this context, the villas have limited open space at the rear of the properties but have always enjoyed the benefit of generous front open space for a town centre location. The proposed development will consume most of the original front gardens with buildings directly in front of the front facades. This will represent an unprecedented form of development within the curtilage of a Grade II (starred) buildings within Cheltenham. In addition, the proposed buildings will be highly detrimental to the significance of the villas due to the loss of the sense of openness between the listed buildings and the Promenade and the visual loss of much of the historic, architectural and the aesthetic composition of most of the lower areas of the buildings which will vary depending on the viewing position within the public realm.

Item 8 - ‘While setting can be mapped in the context of an individual application or proposal, it cannot be definitively and permanently described for all time as a spatially bounded area or as lying within a set distance of a heritage asset.....’

Item 9 - ‘Setting and the significance of heritage assets is not a heritage designation, although land compromising a setting may itself be designated. Its importance lies in what it contributes to the significance of the heritage asset or to the ability to appreciate that significance.....’

The hierarchy and Grade II* status of the villas is reflected (in part) by the open space between the buildings and Promenade. The proposed development will remove this important space (the original front gardens).

Item 9 also states:

'Sustainable development under the NPPF can have important positive impacts on heritage assets and their settings, for example by bringing an abandoned building back to in to use or giving a heritage asset further life. However, the economic viability of a heritage asset can be reduced if the contribution made by its setting is diminished by badly designed or insensately locate development.....'

Item 10 relates to views and setting – 'The contribution of setting of the significance of a heritage asset is often expressed by reference to views, a purely visual impression of an asset or place which can be static or dynamic, long, short or of lateral spread, and include a variety of views of, from, across or including the asset.'

Views from the listed buildings are important. From the upper ground floor, such views will be altered; the open space in front of the windows will be replaced with a linear roof with views of Imperial Gardens now only having a background setting.

Character of Central Conservation Area

The villas are located on the Promenade, one of the spinal axis roads of Montpellier Character Area, part of the Central Conservation Area. This area is an area that, and loose where the properties in question are located, is characterised by spacious and loose urban grain around wide three lined roads and formal green spaces, and medium and long vistas that open towards larger public buildings. The properties subject to this application both contribute to and are enhanced by the distinctive character and appearance of Montpellier, which is to be considered part of its immediate setting.

The detailed character of the area is documented in the Central Conservation Area (Montpellier Character Area) Appraisal. One of its outstanding features and characteristics the area offers is the numerous, extensive and diverse range of cafes, bars and restaurants within walking distance of the Promenade. The application seeks a substantial increase in the seating capacity of the existing restaurant. The potential collateral, long-term economic impact and sustainability on existing bars or restaurants in the conservation area caused by the proposal has not been assessed.

Mitigating the harmful impact

The applicant's Heritage Impact Assessment (produced by Donald Insall Associates) confirms an "audit" has taken place and the increase in the number of required covers cannot be achieved without the new buildings. However, some of the proposed development (essentially to increase restaurant covers) may be able to be achieved (in part) without the proposed development being located within the front curtilage of the listed buildings and preserving the character and appearance of the conservation area. Such options may include reviewing the internal restaurant seating configuration to increase covers, single storey extension/s elsewhere and away from the principal elevations or additional premises elsewhere in the vicinity for example. The planning authority would welcome such discussions at a future date.

Conclusion

The proposal development will be detrimental to the significance and setting the Grade II* listed buildings on the site due to the proposed development within their curtilages. Due to the location of the proposed structure, it will shroud much of the upper ground and lower ground floors and physically dominate the area, with the existing prominence of the listed building facades being 'devalued' to form the background and the new development set forward close to the adjacent public pedestrian thoroughfare. In addition, it will have a negative impact on numerous statutory listed heritage assets within the southern, eastern and western residential properties forming the structure in one of the prominent, architecturally significant and sensitive areas within the whole of Cheltenham and will not 'preserve or enhance' the character or appearance of the conservation area. The scale of heritage assets affected is wide-ranging and significant.

There is acknowledgement that there will be public benefits. The proposal will increase employment opportunities associated with the bar/restaurant which will be generated due to the enlargement of the existing facilities. It will also reintroduce vibrancy to the street scene in the immediate area (which existed prior to the unauthorised existing structures) in the form of outside eating/drinking facilities as the design includes the option of demountable glazed walls, thus creating the option of an outside experience. However, the limited public benefits do not outweigh the harm of the proposal.

Due to the scale of the negative impact, in my view the proposal almost represents 'substantial harm'. However, I am aware no historic fabric is harmed by the proposal. I therefore consider the upper end scale of 'less than substantial harm' is appropriate in relation to the negative impact of setting and significance.

Where appropriate, the principle of achieving the optimum viable use for the site is supported. However, the proposal will be to the detriment to the setting and significance of the designated heritage assets within the proposed site area and part of the conservation area where it is sited.

There are no other comparable examples within this part of the conservation area of a similar or indeed any new development being constructed directly in front of the principal façade/s of any listed building/s. In this context, the proposal will be setting a precedent.

It is the principle of development in such a sensitive location which remains the overriding concern. For the above reasons I recommend planning permission is refused.

Cheltenham Civic Society

14th November 2024 –

Summary

The Cheltenham Civic Society objects in the strongest terms to this application. It is based on the false premise that the proposals represent an improvement on the existing tents - which ought, in fact, to have been removed a few years ago. The proper comparison is with the setting and appearance of nos. 127-133 facing the Promenade as they were before the COVID emergency.

To allow this proposal would do huge damage to the setting and appearance of three exceptionally fine buildings; it would also be completely out of place in a highly sensitive part of the Conservation Area. The harm that would be done by this proposal to the Grade II* listed buildings would be "substantial" in terms of Government policy and therefore should not be allowed.

The so-called economic analysis offered in support of the development is unconvincing.

There exists the possibility of an alternative approach that would meet the applicant's aspirations without doing harm to the heritage asset.

We call on Cheltenham Borough Council to stand by the logic of their previous decisions and reject this proposal. Failure to do so would be wrong in itself and set a dangerous precedent, not just for Cheltenham but for other heritage settings.

Overview

In this response to 24/01762/FUL we:

- recall the policy context and background against which this application must be considered,
- consider the impact of this proposal, showing the substantial harm that it will do the group of Grade II* buildings and to the Conservation Area,
- review the economic arguments made in support of the scheme and show that these fail to make a convincing case,

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- suggest a possible alternative approach which would provide seating for a significant number of guests, with expansion to meet surge demand, and
- conclude with a summary of our reasons for strongly objecting to this proposal.

The policy context

The main policy considerations we have taken into account in preparing our comments are:

- The report of the Inspector following the applicant's appeal against the planning authority's refusal to grant permission for the retention of the temporary marquees (August 2023)
- The National Planning Policy Framework (especially section 16. Conserving and enhancing the historic environment- paragraphs 195 to 214)
- The Cheltenham Local Plan 2020 (especially chapter 9: Historic Environment).

Background to the proposals

The existing tents were erected as a temporary response to the COVID pandemic, and the permission expired in 2021. The correct planning starting point therefore is the last most recent consents granted to the applicant before COVID. Several buildings and many planning applications were involved but in essence the schemes put forward between 2015 and 2018 were for changes of use of the buildings from offices and retail to hotel and related uses, along with plans for landscaped amenity areas in front of the buildings, including for the service of drinks. At the time, the Civic Society congratulated the owners on the sensitive restoration work undertaken on the buildings and the quality of the landscaping. For example, in July 2016 we said: "we welcome this. It is an appropriate use for this fine house". We consider the restoration of the frontages of nos.127-133 to be exemplary and were pleased to award our coveted Civic Design Award to the Lucky Onion group for its work here a few years ago.

The COVID permissions were a response to a crisis, which allowed temporary outdoor catering all over the country. Everywhere else, including in Cheltenham, the vast majority of these permissions have been terminated or given up. But here the applicants wish to enshrine a temporary arrangement into a permanent right. It is not clear why this privilege should be granted.

In fact, the present structures are unlawful as they do not have consent. The applicant has lost two planning applications and one appeal, and has lodged another appeal against enforcement action to remove them. The tents should have been removed by now. Thus, the correct planning starting point is the most recent consents granted to the applicant before COVID. In other words, without the tents present.

Impact of the proposals

All parties agree that the existing tents are an eyesore and should go as soon as possible. But as these as were only ever intended to be temporary, it is wrong to argue (as the application does) that the proposals represent an improvement upon them and should therefore be allowed. The correct comparison is with the situation before the tents were put up.

The quality of the buildings and their setting are described in the listing of the structures, the Inspector's report and elsewhere, but words are a poor substitute for pictures. In considering what is now proposed, we need to look at the appearance of this exceptionally fine group of buildings as it was before Covid – see photos 1 and 2 below.

Photo 1 – no. 131 before the tents

Photo 2 - a nighttime view of 131 before the tents

The impact of this scheme on the main views from the Promenade will be very damaging and will be greatly inferior in appearance to what was there before the tents.

The illustrations that accompany this scheme are very misleading. They give the impression of a transparent structure with nothing within it. In reality it will be covered over much of the time, with lots of activity within it. It will be the dominant feature looking towards nos. 127-133, obscuring many of the details and the greatly reducing the overall impact of Forbes's fine architecture. Quite rightly, both Historic England and the Council's conservation officer consider this proposal to be just as damaging to the Grade II* buildings and to the Conservation Area as the temporary tents.

It is right to recall the inspector's words about the tents: "The development of the site has had a significantly diminishing effect on the legibility of the original conscious design as grand villas within a spacious setting, adversely affecting their significance" (para 25) and "I conclude that the proposed retention of the marquees would have a harmful effect on the special interest of the adjacent Grade II* listed buildings, particularly their setting. In addition, it would fail to preserve or enhance the character or appearance of the CA. As such, it would cause harm to the significance of these designated heritage assets" (para 30). These criticisms are equally true of the present proposal.

In his report about the retention of the tents, the Inspector said: "Having regard to the temporary nature of the proposal, I am satisfied that the harm is less than substantial as described in the Framework" (emphasis added). So, the Inspector did not say the tents caused "less than substantial harm" in themselves, but he thought that their temporary nature reduced their impact to that level. Our view is that the permanent structures now proposed constitute "substantial harm" as defined in para. 208 of the NPPF, which – in respect of Grade II* buildings – it would be "wholly exceptional" to permit (para 206(b)). In fact, we know of nowhere else where planning permission has been given for a major new development right in front of the main façade of Grade II* buildings as is proposed here. To do so would be an insult to the quality of their fine architecture.

We think the extent of the damage proposed to the settings of these three beautiful buildings is such that no economic analysis would justify going ahead with a scheme like this (but see our comments below).

Finally, we have a number of other comments which might be borne in mind if a better alternative is eventually forthcoming:

- Contrary to CBC requirements, there is no full sustainability assessment. And no consideration is given to the environmental issues raised by these outdoor structures, such as heating, when many of the activities could be accommodated within the buildings re. sustainability assessment. Although the Design & Access statements refer to 'an Energy Strategy Report that [...] is submitted as part of this application', this document is not present.
- We have no objections to the installation of solar panels on the roofs of nos.127-129 and 133
- We have no objection to the removal of the glass conservatory alongside no. 131
- The structures in front of nos. 127-133 hide the main entrance to no. 131, which should be made the focal point for the entire enterprise.

The economic case made by the proposers

For the reasons argued above, the applicant needs to make a wholly exceptional case in support of the application. In practice, the case made is a weak one: indeed, the document submitted is not really an economic impact analysis so much as an estimate of the financial benefit the tents currently provide to no. 131. It makes a lot of the commercial benefits that have accrued to Lucky Onion since the Covid exemptions were given, but little to say about the wider public benefits.

It alleges that no. 131 offers a unique experience and that 'the importance of its 'pull' in terms of visitor numbers and spend to the local economy cannot be underestimated' (it surely means 'cannot be overestimated', or 'should not be underestimated?'). Actually, it is not estimated at all, and no evidence is presented that no. 131 is a 'destination' restaurant which

induces visits to Cheltenham that would otherwise not have taken place. There is an assumption that any reduction in dining revenue at no. 131 will be a significant net loss to the town, but that seems unlikely, and no evidence is presented in support of this claim. It is much more likely that if restaurant revenues fell, spend would be transferred to other restaurants in town. Consequently, the claimed indirect and induced adverse impacts - losses down the supply chain - will not occur, or at least will do so on a far smaller scale than is implied.

S3 of the report shows that the tents generate considerable revenues for no. 131 and points to a 858% increase in profitability 2019/20 - 2020/21 (3.10), which is no doubt welcome. However, it does not show that the enterprise is unviable without them, nor does it substantiate the claim that no. 131 'attracts visitors from afar' (3.14) - who, it is implied, would not otherwise come to the town.

We do not believe that the report 'demonstrates significant economic benefits provided by the temporary marquees'. Instead, it shows that no. 131 has gained very substantial increased revenues by retaining temporary structures and failing to comply with decisions of the LPA and the Planning Inspector that they should be removed. Consequently, no. 131 has enjoyed an unfair, perhaps illegitimate, advantage over its competitors and made extraordinarily large profits as a result.

Given the limitations of this report, it is clear that wholly exceptional economic case this has not been made to permit this proposal to go ahead.

An alternative

The applicant suggests an alternative, which is unconvincingly rejected (Design and Access Statement, page 9). This was also briefly discussed when the applicants' architect met with us in October to give us a preview of the scheme (we should stress that this was not a consultation but a courtesy briefing as it was made clear that there was no room for changes to be made in the plans in the light of our comments).

We believe that there is a perfectly sound alternative available to the applicants which would protect their current business model and respect the heritage. The elements of this alternative are:

- The creation of a permanent structure to the south-west of no. 133, perhaps in the form of an elegant curved contemporary building facing Queens Circus and stretching round to Montpellier Street. This would provide additional space for eating out
- The return of tables with small parasols in front of the three buildings for drinking out
- The use of Class BB of the General Development Order to provide more substantial temporary accommodation at times of peak visitor numbers, for example during race week and festivals.

This would no doubt require some internal reorganisation within nos. 127-133, but this approach would allow a lot of all-weather seating outside the buildings, and some extra seating when most needed. Also, it would preserve one of the most valuable assets the business has to offer: an outstandingly fine suite of buildings that customers and passers-by could once again enjoy. Without this fine backdrop, the business would not exist.

Architects Panel – 24/01762/FUL

12th December 2024 –

Design Concept:

The principle of permanent development in front of the listed buildings is a concern.

Design Detail:

The impact on the setting of the listed buildings is felt to be too great and is too obstructive of the elevations of the listed buildings and hence harmful to their setting as well as the wider

conservation area. The solid roof to the structure will create a significant visual barrier between the street scene and the elevations of the buildings behind.

Recommendation:

Not supported

Architects Panel – 24/01763/FUL

12th December 2024 –

Design Concept:

The principle of permanent development in front of the listed buildings is a concern.

Design Detail:

The impact on the setting of the listed buildings is felt to be too great and is too obstructive of the elevations of the listed buildings and hence harmful to their setting.

Whilst the glazed proposal is more light weight in terms of its visual impact on the buildings behind the visualisations suggest that the spaces will be empty. In reality they will be filled with all of the restaurant paraphernalia which is currently housed in the tents and as such will have just as much visual impact on the setting of the listed buildings and the wider conservation area.

Recommendation:

Not supported

GCC Highways Planning Liaison Officer

9th December 2024 –

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

The justification for this decision is provided below.

The proposed structures will not impact pedestrian movements on the adjacent public footways. There are no justifiable grounds on which an objection could be maintained.

The Highway Authority therefore submits a response of no objection

Drainage And Flooding

26th November 2024 –

A sustainable drainage (SUDS) strategy will be required to mitigate the impacts of the impermeable surfaces. A high level strategy is required as part of the main application to show that the SUDS hierarchy will be followed and surface water will not be disposed to a combined sewer, as there are other options further up the hierarchy available including the surface water sewer on Montpellier Street. Finer details of the drainage design such as sizing of flow control devices can be provided through a SUDS condition if preferred by the applicant. The comments by the Trees officer are noted with regards drainage around the rooting environment of the existing trees. The infiltration of the first 5mm of rainfall, as per SUDS guidance, is therefore considered an important aspect of the drainage design.

Trees Officer – 24/01762/FUL

21st November 2024-

Given that the proposed structures will all be (at least partially) within the rooting areas (and zone of influence) of significant and mature street trees, some further consideration should be given to how the proposed buildings and existing trees may interact.

There is potential for an increased sense of overbearance by the trees, especially where glass structures are concerned. Similarly, the trees may be perceived as the source of nuisance (tree debris, seasonal leaf drop etc). And although the trees will provide welcome shade in the hotter months, this may be perceived as blocking of light. These factors have the potential to increase pressure for (possibly inappropriate) pruning (or indeed removal) of the trees. It should be noted that the trees are managed by Highways Gloucestershire who are unlikely to prune (or indeed remove) the trees unless to remedy a safety concern or to abate a legally actionable nuisance. Furthermore, the trees are legally protected by the Conservation Area regulations and Cheltenham Borough Council would require sound arboricultural reasoning for proposed tree works, which should be in line with BS3998 (2010).

BS5837 (2012) states that RPAs of trees should be excluded from construction activities. The design and access statement proposes screw pile foundations which would be a potential damage-mitigating method of construction. This should be formalised in a suitable arb method statement that will also describe the surfaces and method of surfacing within RPAs (assuming that new surfacing will be installed).

It is possible that the structures will divert water away from the rooting environment of the trees (e.g. into drains). If possible, consideration should be given to maintaining soil moisture content by diverting water back into the rooting environment.

Of the two schemes currently under consideration at this address, the potential negative impact on or potential for conflict with the street trees is likely to be greater with this scheme. If this scheme is successful, the potential for conflict could be reduced by making the roof opaque (reducing the sense of overbearance to customers and staff within the structures). Any gutters should be covered to avoid becoming blocked. The applicant should give due consideration to how and how often the roofs of such structures could be cleaned.

It is unclear if the small birches (or other trees) will need to be removed to accommodate the scheme. If so, this should be clarified. It would be preferable for any tree removed to be replaced elsewhere on site. If these trees are to be retained then suitable tree protections should be described on additional / revised drawings.

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

Trees Officer – 24/01763/FUL

21st November 2024 –

Given that the proposed structures will all be (at least partially) within the rooting areas (and zone of influence) of significant and mature street trees, some further consideration should be given to how the proposed buildings and existing trees may interact.

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

CBC Ecologist

12th November 2024 –

Thank you for consulting me on this app but I do not have any comments to make regarding ecology.

Environmental Health

13th November 2024-

In relation to 24/01762/FUL, 129 - 133 Promenade, Cheltenham, please note the below from Environmental Health.

The application form states that the hours of opening are not relevant here, so please could it be confirmed that the hours of operation will be the same existing?

If so, please note that there are no comments/conditions from Environmental Health. This is due to EH last receiving 2 noise complaints in 2020 (race week 2020 and Sept 2020, with the later receiving no log sheets back from the complainant so no further investigation was carried out).

Gloucestershire Centre For Environmental Records

8th November 2024 - Report in documents tab.



Appeal Decision

Site visit made on 6 June 2023

by Paul Martinson BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17 August 2023

Appeal Ref: APP/B1605/W/23/3314132

125, 127, 129, 131 & 133 Promenade, Cheltenham GL50 1NW

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Lucky Onion Group against the decision of Cheltenham Borough Council.
 - The application Ref 22/01373/FUL, dated 26 July 2022, was refused by notice dated 21 October 2022.
 - The development proposed is described as: 'Temporary Marquees at 125, 127, 129, 131 and 133 Promenade, Cheltenham'.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have taken the site address and description of development from the appeal form as they more accurately describe the appeal site and the proposal.
3. The marquees are understood to have been installed at the appeal site in June and October 2020 and replaced existing parasols within the frontages and external areas of 131 and 133 Promenade.
4. As part of the Council's response to the Covid-19 pandemic, it relaxed planning enforcement against temporary, moveable structures in order to allow businesses such as bars and restaurants to utilise external spaces and meet social distancing requirements. The appeal structures benefitted from these measures.
5. As the appeal site is located adjacent to listed buildings and within a conservation area, I have had special regard to sections 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).
6. Whilst I have based my decision on the proposed plans, the appeal proposal is partly retrospective in that the marquees are predominantly in situ. Nonetheless, On the site visit I saw that the three marquees shown on the proposed plans immediately adjacent to the side elevation of No 133 were not present.
7. The appeal proposal seeks the retention of the marquees for an additional two years. As they are predominantly in place already, I was able to take into account the effects of the structures on the designated heritage assets that I observed on site. My assessment considers the effect of the proposed retention of the marquees for a further two years, notwithstanding that the appellant's final comments suggest that the structures could be removed by 20 October

2024. In this regard I am mindful that the appeal process should not be used to evolve a scheme and that it is important that what is considered at appeal is essentially the same as was considered by the local planning authority and interested parties at the application stage.

Main Issue

8. The main issue is the effect of retaining the marquees for a further two years on the special interest of the adjacent Grade II* buildings, with particular regard to setting, and whether their retention for this period would preserve or enhance the character or appearance of the Cheltenham Central Conservation Area.

Reasons

Special Interest and Significance of Listed Buildings

9. The appeal site comprises the outdoor spaces associated with a hotel and restaurant. The hotel/restaurant is comprised of three Grade II* listed buildings: 125 and 127 Promenade¹; 129 and 131 Promenade² (which are semi-detached); and 133 Promenade³ (detached). The three buildings are all sizeable elegant Regency villas constructed in the early 1830s and generally attributed to the architect John Forbes. The buildings are set back from the street edge, and each other, behind their own spacious garden plots, enclosed by railings and gated walls. The three sets of gate piers adjacent to No 133 are also individually Grade II listed.
10. Externally all three buildings are faced with stucco with individual architectural detailing, reflective of the neoclassical Regency style, primarily to the front facing elevations. No 133 has Doric pilasters with arcading details to the ground floor openings, whilst No 129 and 131 has four fluted central columns atop plinths with Prince of Wales capitals. No 125 and 127 has six central pilasters with entablature between the ground and first floor and includes prominent ground floor Doric porches to each end.
11. The ground floor of each of the buildings is elevated above street level and typically accessed via a series of steps which are often individually detailed. The ground floor windows to each villa are tall and elegant and an indication of the historical importance of the rooms on this level. Each ground floor features balconies with metal railings. Continuous balconies are present for much of the ground floor at No 133 and No 125 to 127, with tent roofs above those at No 133, whilst those at No 129 and No 131 are individual balconies served by French windows.
12. The design detailing of the appeal buildings contributes to an elegant appearance, reflective of the increasing prosperity of Cheltenham as a Regency Spa town. Whilst each building has individual design features, their materials, scale and spacious siting are unifying characteristics. Together they form part of an outstanding group of Regency villas along this part of Promenade overlooking Imperial Gardens and the Queens Hotel, also Grade II* listed. The elevated ground floor levels of the appeal buildings along with their elegant

¹ List Entry Name: Numbers 125 and 127 and Attached Railings. List Entry Number: 1387685.

² List Entry Name: Gloucester Lodge (No 129) and Sherborne House (No 131) Gate Piers and Gates. List Entry Number: 1387686.

³ List Entry Name: Clarence House and Attached Railings. List Entry Number: 1387687.

ground floor windows and balconies allow key views of the planned tree-lined avenue and Imperial Gardens beyond.

13. The special interest and significance of the Regency villas derives from, in part, their architectural and historic interest as high quality examples of Regency buildings within a planned setting. Important contributors in this regard are their elegant neo-Classical architectural detailing, spacious character, location within a formally planned street, grand proportions with a legible hierarchy across their floors, and their contribution to the consciously designed townscape. Their significance also stems in part from their value as a group.
14. Pertinent to the appeal, it is common ground between the parties that the appeal site lies within the setting of the three Grade II* listed buildings referred to above. The setting of a heritage asset is defined as the surroundings in which it is experienced, and its importance therefore lies in what it contributes to the significance of the heritage asset⁴. The buildings' consciously larger plots are distinctive compared to nearby terraces and, as noted by Historic England in its comments, are shaped by, and illustrate, the social trends of this part of the nineteenth century. The space around them adds to the spacious character of this part of Promenade and the deliberate setback from the road allows these sizeable buildings to be better appreciated by those walking along Promenade, a clear intention of the design of the buildings in the nineteenth century.
15. As noted in the historical note forming part of the List Description, Promenade was laid out in 1818 as a tree-lined avenue from the Colonnade in the High Street to the Sherborne Spa (on the site of the Queen's Hotel) and by 1826 it was a carriage drive with spacious gravelled walk on each side.
16. The open spaces around the buildings remain a key aspect of how the assets are appreciated today. Moreover, the open nature of these spaces allow the aforementioned ground floor elements that contribute to the significance of the buildings to be viewed and seen in the context of the building as a whole. The neoclassical detailing and the hierarchy of windows are particularly important aspects of how the buildings were designed. The open space forming the appeal site thus makes a major contribution to the significance of 125 and 127 Promenade, 129 and 131 Promenade and 133 Promenade.

Significance of Conservation Area

17. The CA encompasses a large area of the town which developed as a Regency spa town with many of the buildings here constructed in the early part of the nineteenth century. Stucco, painted a consistent colour, predominates as a characteristic external treatment and provides cohesion to the CA. Buildings typically comprise of formally laid out terraces and large villas set in spacious grounds. Trees are prevalent and streets are often tree lined. Formally laid out gardens including public spaces are features of the streetscene here that also contribute to the spacious feel.
18. Described in the Montpellier Character Area Appraisal (2007) (the CAA) as one of Cheltenham's most striking streets, and, as set out in the List Description, Promenade is a planned tree-lined space. Today Promenade is a wide and spacious thoroughfare bounded by Regency development, still lined by trees.

⁴ National Planning Policy Framework – Glossary.

19. The spacious, verdant character, prevalence of neoclassical Regency architecture and the resulting consistency in terms of architectural features, materials and detailing are characteristics of the streetscene that contribute to the significance of the CA insofar as it relates to this appeal.
20. The appeal buildings, being elegant Regency villas in a spacious and planned setting and forming a high-quality building group, reinforce those characteristics. All of these elements positively contribute to the CA's significance as a designated heritage asset. My conclusions in this regard are supported by the conclusions set out in the CAA.

Proposal and Effects

21. When considering the impact of a development on the significance of a designated heritage asset, the National Planning Policy Framework (the Framework) also provides that great weight should be given to the asset's conservation and the more important the asset, the greater the weight should be.
22. The marquees consist of a large number of adjoining individual units spread across the frontage of the three listed buildings. The marquees occupy much of the frontage of each of the buildings, whilst they are also shown on the proposed plans to the side of No 133. The roof of each unit is white in colour and typically takes the form of a square tent, peaking in the centre. On the site visit I saw that some had translucent plastic walls infilling the space between the floor and roofs. In some cases, the plastic had been pulled back in the manner of a curtain whilst in other instances, this was absent entirely. Within the units I saw that covered porches, doorframes and doors had been erected.
23. Owing to their considerable height, spread and form, the marquees almost completely obscure the ground and basement elevations of the buildings, radically reducing the visibility of their architectural detailing, such as the arcading and balconies to the ground floor areas referred to above. The peaks of the marquees also obscure parts of the first floors of the buildings. Visibility of the buildings in views from outside the site as well as from the entrance to Imperial Gardens opposite and from further along Promenade has been radically reduced. This severely restricts the ability to appreciate the significance of the buildings.
24. Within the site, views of the exterior of the buildings are extremely limited and diners within this space, in my view, are unlikely to be able to gain a realistic appreciation of the significance of the buildings that they are visiting. Similarly, views from inside the building, gained from the elegant windows and balconies, are predominantly obscured by the roofs of the marquees.
25. The scale of the development has drastically reduced the degree of spaciousness within the appeal site (despite three proposed marquees being absent on my visit). The development of the site has had a significantly diminishing effect on the legibility of the original conscious design as grand villas within a spacious setting, adversely affecting their significance. Moreover, the tented form and irregular positioning of the marquees within the site jars with the formal symmetry of the Regency buildings. This also has the effect of reducing the individuality between the three buildings and blurring the definition between them.

26. Having regard to the above, the marquees have become a prominent and incongruous feature of the streetscene along Promenade and due to their scale, colour and form are visible for much of its length. They are also prominent in views from Imperial Gardens. The marquees intrude into the space adjacent to the street trees, imposing upon them, unbalancing the symmetry of the avenue in views looking down Promenade from the Queens Hotel and adversely affecting the spacious, verdant character of the CA as a whole.
27. The submitted heritage statement sets out that retaining the marquees for two years would not be *'to the detriment of any of the features described in the Historic England listing details and will not result in the significant loss of any historical internal features or fabric'*. However, I have found that the development is harmful to the significance of the listed buildings through the development within their setting.
28. The appellant has set out that retaining the marquees for a further two years would allow time for the appellant to conceive an alternative, presumably more permanent, solution for external dining. In that regard, the appellant has provided a copy of a draft submission for pre-application advice to the Council. Whilst there may or may not be a suitable long-term solution, it is not for the appeal process to pre-determine this matter.
29. Nonetheless, I am mindful of the high importance of the heritage assets and that, were I to allow the appeal and grant permission to retain the marquees for a further two years, this harm would continue at least for the duration of that period.
30. As such, for the above reasons, I conclude that the proposed retention of the marquees would have a harmful effect on the special interest of the adjacent Grade II* listed buildings, particularly their setting. In addition, it would fail to preserve or enhance the character or appearance of the CA. As such, it would cause harm to the significance of these designated heritage assets.
31. Lying within its setting, the appeal site also contributes to the special interest and significance of the Grade II* listed Queens Hotel. This is through reinforcing the spacious character of the area and allowing views across it to the appeal buildings' facades as part of a conscious grouping of Regency buildings and development along this part of Promenade. Through interrupting the spacious character and views between the two buildings the development has adversely affected the significance of the Grade II* listed Queens Hotel through development within its setting.
32. Much of the significance of the Grade II listed gate piers located along the frontage of No 133 derives from their association with No 133, which lies within their setting. A further consequence of the appeal development has been that these gate piers have also been partly or totally subsumed by the structures, eroding their legibility within the site, to the detriment of their significance.
33. Whilst the effect on the special interest and significance of the Queens Hotel or the gate piers did not form part of the Council's reasons for refusal, I have a statutory duty under section 66(1) of the Act to have special regard to the desirability of preserving listed buildings or their settings. In that regard, my findings add to the harm to heritage assets I have described above.

Public Benefits and Balance

34. With reference to Paragraphs 201 and 202 of the Framework, in finding harm to the significance of a designated heritage asset, the magnitude of that harm should be assessed. Paragraph 202 advises that this harm should be weighed against the public benefits of the proposal, including, where appropriate, securing the asset's optimum viable use.
35. Having regard to the temporary nature of the proposal I am satisfied that the harm is less than substantial as described in the Framework. In that regard I note that the appellant has never disputed that the marquees affect the settings of the listed buildings and in this respect harms their significance.
36. The appellant argues that the harm arising is at the '*lower end of that less than substantial scale*'. However, I would note that case-law has confirmed that decision makers are not obliged to place harm that would be caused to the significance of a heritage asset, or its setting, somewhere on a spectrum in order to come to a conclusion. The only requirement is to differentiate between 'substantial' and 'less than substantial' harm for the purposes of undertaking the weighted balancing exercise.
37. The appellant is of the view that the marquees generate significant public benefits and that these '*far outweigh*' the less than substantial harm caused. The appellant sets out that the marquees allow the bar and restaurant to accommodate more customers '*across the less clement months of the year*', supporting the business and resulting in employment and economic benefits. In this regard the appellant has calculated that approximately 50 members of staff (a third of the workforce) would be made redundant, were the marquees required to be removed. The appellant also notes the potential for further job losses in the supply chain including food and drink suppliers and maintenance staff.
38. Whilst the appellant has not provided detailed evidence supporting the employment figures and their reliance on the marquees, a table showing financial information has been provided as part of their final comments. Whilst limited in detail, this table sets out that the external areas around the buildings generate a substantial portion of the income of the business.
39. I agree with the Council that there is a lack of supporting evidence with regard to the precise financial implications of the marquees and the extent to which the businesses are dependent upon them. However, having regard to the significant number of tables located within the areas covered by marquees, I do not doubt that these areas generate a substantial income throughout the year, as they are essentially an extension of the internal dining areas and bars, allowing for significantly more tables and more customers. This in turn will result in employment and a benefit to the local economy, including through diners going on to visit the nearby bars after a meal.
40. However, I would note that the issue is not that outdoor dining in itself is unacceptable in principle, the harm considered above is based around the number and form of the marquees covering these spaces. There is no evidence before me that the appeal proposal is the only means of providing outdoor dining and indeed, I saw no similar marquee structures at nearby restaurants and bars, which often included outdoor seating. I therefore attribute limited weight to the economic benefits described above.

41. The appellant argues that the marquees help to maintain the buildings in their optimum viable use. However, notwithstanding that the buildings were vacant for a period of time before being incorporated into the current business, the appellant has not demonstrated why they consider the buildings' current use is their optimum viable use. In this regard I note the Planning Practice Guidance (PPG)⁵ sets out that where there are other economically viable uses, the optimum viable use is the one likely to cause the least harm to the significance of the asset, and, that this may not necessarily be the most economically viable one.
42. I accept that the economic climate has changed since the buildings were developed into their current uses by the appellant, and that these are challenging times for such businesses. However, the original investment in the buildings does not appear to have required provision of substantial areas of undercover dining areas and these only became necessary in order for the business to survive during the restrictions in place during Covid-19. Having regard to the PPG, and on the basis of the evidence before me, I am therefore not convinced that the marquees are fundamental to maintaining the buildings' optimum viable use.
43. I accept that, following the pandemic, there may be some people who remain nervous of being in crowded, indoor spaces, and that they may prefer to socialise in well-ventilated spaces where greater distancing can be achieved. However, given that the marquees predominantly have walls, internal doors and a roof, it is unclear how well-ventilated these spaces are. Nonetheless, the marquees may reassure some customers in this respect and may provide an option to those people at times where temperatures and weather conditions inhibit outside dining. This therefore represents a limited benefit.
44. Nonetheless, collectively, the limited weight I have attributed to recognised public benefits, are not sufficient to outweigh the considerable importance and weight I attach to the identified harm to the significance of the designated heritage assets.
45. The retention of the marquees for a further two years would adversely affect the special interest and significance of the adjacent Grade II* buildings, with particular regard to their setting. Similarly, the proposal would also fail to preserve or enhance the character or appearance of the CA. The retention of the marquees would not sustain or enhance the significance of the designated heritage assets and would not conserve them in a manner appropriate to their significance.
46. This harm would be contrary to the requirements of sections 66(1) and 72(1) of the Act and the provisions within the Framework which seek to conserve and enhance the historic environment. The harmful impact would also be contrary to Policies SD4 and SD8 of the Gloucester, Cheltenham and Tewkesbury Core Strategy (2017) and Policy D1 of the Cheltenham Local Plan (2020) which together seek to conserve and enhance heritage assets and safeguard local distinctiveness and the historic environment.

⁵ Paragraph: 015 Reference ID: 18a-015-20190723.

Other Matters

47. The appellant has referred to a previous decision of the Council relating to the construction of an orangery in Imperial Gardens. I have been provided with limited details of this decision. However, I was able to view this development on the site visit. This structure does not appear to obscure buildings in the manner of the appeal scheme, nor does it appear to involve the settings of multiple Grade II* listed buildings. I am therefore not convinced that this development represents a parallel with the appeal proposal. The Council's previous decision in this regard therefore carries little weight.
48. I note that there is some public support for the proposal. However public support does not necessarily equate to a lack of harm. Moreover, a number of third-party objections were also received as part of the appeal.

Conclusion

49. The proposed development would conflict with the development plan. There are no material considerations which indicate that the decision should be made other than in accordance with the development plan. Therefore, for the reasons given, I conclude that the appeal should be dismissed.

Paul Martinson

INSPECTOR

This short overview, prepared by The South West Research Company Ltd, is produced at the request of Cheltenham Borough Council to provide a professional review of the data used to support the proposal put forward in the Economic Impact Statement for 125-133 Promenade report (SF Planning October 2024), and the subsequent claimed economic impacts.

In our opinion we consider the main issues with the data used in the report to be:

- **Lack of clarity, detail and evidence in areas** – There are many instances in the report where claims are made without the provision of suitable evidence to support these. There are a number of examples of this throughout the report but particularly with regard to the figures used to demonstrate the economic impacts of the existing business and the supply spend chain spend/jobs impacted without support for the new development. There are models which would be able to estimate this but also the business should have knowledge of what it is spending and where, which would allow for estimates of impacts to be made which were based upon a clear process and method.
- **Out of date statistics being used** – There are instances of figures being used to set the scene for the importance of tourism/hospitality in Cheltenham which are taken from 2019, for a development proposed in 2024. Much has changed in the sector since pre-Covid times and more recent data is readily available online for most, if not all of the areas covered. In addition, the figures provided for the size and scale of the business itself are also somewhat out of date ending in March 23.
- **Basis for economic estimates is potentially skewed** – A large proportion of the data upon which the estimates are based are impacted by Covid lockdowns and restrictions. Whilst this is acknowledged in the report to some degree, the inclusion of these periods has the potential to skew the figures provided and over estimate the impact of the business. Various lockdowns and restrictions were in place across the country from March 2020 which continued to impact businesses until late July 2021 when all restrictions were lifted. The inclusion of data from this period has the potential to skew the impacts because consumer behaviour was very different as a result of these restrictions and the choice of venues was also limited so those with large outdoor areas had the potential to perform better as a result. In addition, tourism behaviour was also very different during these periods as people were unable to travel overseas and there was a big surge in domestic tourism as a result when people were eventually able to holiday. As such, we would suggest that business data from 2022 onwards would provide a more realistic overview of business performance. In terms of tourism performance, generally speaking 2023 and 2024 have certainly been a lot more challenging.

As a result of all the above, we would consider that the figures and data currently being used in the report should not be relied upon as a solid evidence base for this proposal.

APPLICATION NO: 24/01762/FUL	OFFICER: Mrs Lucy White
DATE REGISTERED: 8th November 2024	DATE OF EXPIRY : 3rd January 2025
WARD: Lansdown	PARISH:
APPLICANT:	The Lucky Onion LLP
LOCATION:	129 - 133 Promenade Cheltenham Gloucestershire
PROPOSAL:	Erection of glazed structures within the front curtilages of Nos 125-127, 129-131 and 133 Promenade to provide external restaurant, dining and drinking facilities associated with 131 Promenade and existing hotel. Installation of PV panels to roofs of 125-127 and 133 Promenade and removal of existing conservatory to side of 133 Promenade.

REPRESENTATIONS

Number of contributors	143
Number of objections	24
Number of representations	1
Number of supporting	117

23 Imperial Square
Cheltenham
Gloucestershire
GL50 1QZ

Comments: 20th November 2024

I strongly object to the two proposed planning applications for the following reasons:

Heritage Impact:

The first application proposes black steel, fully glazed conservatories in front of each of the three buildings. The second proposes light steel-framed pergolas with retractable fabric roofs. Both of these additions significantly undermine the heritage of the square. As a resident living opposite these buildings, I can confirm that similar additions would not be permitted for my property. Allowing these contraptions to alter the façade would set a damaging precedent and detract from the historic and aesthetic value of this important Cheltenham square.

Visual Harm:

Both proposals create an unacceptable visual impact, causing significant harm to the setting and character of the buildings. This square is a cornerstone of Cheltenham's historic identity, and such alterations compromise its integrity. The charm and heritage of the area must be preserved without exceptions for commercial gain.

Unfair Commercial Advantage:

While leniency may have been justifiable during the COVID-19 pandemic, the continued presence of these additions offers an unfair advantage to this particular business. Cheltenham's historic character should not be sacrificed for the financial benefit of one entity.

Employment Argument:

Claims of employment benefits are misleading. The hospitality sector as a whole faces recruitment challenges, and a reduction in operations for one business would redistribute staff opportunities elsewhere. Employment is therefore irrelevant to this discussion, which should focus solely on preserving the site's heritage and appearance.

Local Disruption:

As a resident, I find the music played outdoors year-round disruptive and inappropriate for this historic location. It further undermines the tranquility and dignity of the area, detracting from the experience of living here.

In summary, these proposals harm the historic character of Cheltenham's premier square, create an unfair commercial advantage, and disrupt the area's ambience. I urge the planning authority to reject these applications to safeguard the square's unique heritage for current and future generations

5 Mowberry Close
Longlevens
Gloucester
GL2 0EN

Comments: 27th November 2024

I'm fully in support for the new glass structures for No. 131 The Promenade. It looks fantastic and really fits in with the area. It brings a great mixture of classic and modern, which the surrounding area could really benefit from. I think it'll definitely make the place feel livelier, and it'll probably bring more people to the area, which is great for local businesses. Overall, it's a great addition, and I'm excited to see how it improves the neighbourhood!

4 Wyddrington House
55 Pittville Lawn
Cheltenham
Gloucestershire
GL52 2BQ

Comments: 28th November 2024

NONE GIVEN

1 Rhone cottage
Down Hatherley
GL2 9qb

Comments: 8th November 2024

Cheltenham is a destination town and needs this sort of investment, particularly in the arena of hospitality where so few businesses make money and can invest.

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I believe the design gives the older regency frontage a new lease of life. Preservation for preservation sake in a functional town centre space is restrictive, and imaginative and tasteful ways to both preserve architecture but bring into a modern usage like this are precisely what intentional and thoughtful development looks like.

39 LILAC WAY
CARTERTON
OX18 1JH

Comments: 11th November 2024

As a regular visitor to Cheltenham and No.131, I support the plans for a permanent, and architecturally considerate, structure. The design is very much in keeping with the area.

The use of No.131 terrace space has also provided a significant number of jobs to local people and helps to drive continuous footfall into the town.

***** has invested significant monies into businesses across Cheltenham providing opportunities of employment, and the council should be supporting this effort to provide a sympathetic solution - not blocking at every opportunity.

Unit 3 and 4 Lower Barn
Buildings
Haselor
Alcester
B49 6GB

Comments: 21st November 2024

This is clearly a well thought through development that will not only compliment the architecture of the existing building, but as importantly protect jobs and ensure the business can thrive going forward.

As a leading light in the hospitality industry at a local, regional and indeed national level, its important to support 131 with this application.

The positive impact the venue has on Cheltenham as a destination cant be underestimated, that combined with their desire to work with local businesses has such a wide and positive knock on to the economy.

Cowlsmead
Shurdington
Cheltenham
GL514TD

Comments: 20th November 2024

I totally support the proposal for 131. Providing jobs for the local community , also a fantastic place to dine.

Eslington House
Thirlestaine Road
Cheltenham
Gloucestershire
GL53 7AS

Comments: 19th November 2024

A promenade is meant to be a place for strolling and pleasure - the proposed sympathetic and elegant design will surely enhance this experience for local people and visitors to the iconic festivals.

Do we want more of the same old status quo in our prom - solicitors offices, estate and letting agents?

Come on CBC get behind this scheme as a neighbour to 131 I am in full support.

2 Ridge Grove
Brockworth
Gloucester
GL3 5AG

Comments: 20th November 2024

The replacement of the marquees with a new permanent structure would be great for Cheltenham and keep the town moving forward.

I fully support the application and think that the design is sensitive to the townhouses.

As someone who goes to No. 131 it is clear to see what a great destination they have created for both local people and those travelling to socialise, stay and dine, which is beneficial for the local economy.

9 the strand
Charlton
Pershore
wr10 3jz

Comments: 21st November 2024

I'm really impressed with this proposal, it not only preserves the integrity of the structures but also enhance their overall appeal. Venues like 131 are essential to the town, and ensuring it can continue to thrive is so important. Safeguarding the 100+ jobs it provides is equally vital.

Broomhall Farm
Worcester
WR5 2NT

Comments: 12th November 2024

Full support

10 Ridge Grove
Brockworth, Cheltenham
GL3 5AG

Comments: 13th November 2024

the Glass structure looks amazing,

26 Hopwood Grove
Cheltenham
Gloucestershire
GL52 6BX

Comments: 19th November 2024

I want to express my full support for this project as a worker at the Hotel No.131. I believe this initiative is not only beneficial for the development of Cheltenham but also crucial to ensuring job stability for over 100 employees, including my own. Furthermore, I think this project will strengthen the connection between the hotel and the local community, creating a lasting positive impact. I sincerely hope it receives the necessary approval to move forward.

Flat 6
22 Swindon Road
Cheltenham
Gloucestershire
GL50 4AL

Comments: 20th November 2024

i will like to see an improvement

Nelson Villa
Trafalgar Street
Cheltenham
Gloucestershire
GL50 1UH

Comments: 26th November 2024

Any proposal to construct on the front of the 131 buildings will detract from the Regency facade which is one of the finest in Cheltenham. The circus tents did a good job for the town and Mr Dunkerton during COVID but now their job is done. There is an abundance of other businesses in the vicinity where his employees will find work. He will still be able to trade profitably in his permanent premises. Cheltenham can reclaim this historic part of the promenade.

44 Hall Road
Cheltenham
Gloucestershire
GL53 0HE

Comments: 29th November 2024

I fully support the planning application; I think the proposal will be a great addition as it complements the architecture surrounding 131 and only enhances the venue. It ensures the safety of the roles for the staff who work there and boosts the space to eat, drink, stay and enjoy events in a lovely location. I think this would be a great improvement to town and a fantastic addition to No.131 and the promenade!

28 Newtown
Toddington
Cheltenham
GL54 5DU

Comments: 27th November 2024

Upon reviewing the planning proposal I can say I am wholeheartedly in support.

Not only for the sympathetic and tender way in which it will sit within the existing regency architecture, but also in its forward thinking and vision.

Bringing the traditions of the 19th century into the 21st and beyond. Making Cheltenham relevant for the future and an exciting destination for visitors and locals.

Flat 5
Acton House
13 Suffolk Square Cheltenham
Gloucestershire
GL50 2DT

Comments: 23rd January 2025

Our full support, we regularly dine here and enjoy looking over the square. The new design is lovely, and doesn't take away from the beauty or the ability to see the front of the buildings.

2 Court Cottages
Little Witcombe
Gloucestershire
GL3 4TU

Comments: 11th November 2024

Fully support the addition of this structure to the current property. It would be a great addition to Cheltenham.

WBK
Unit 3 Drift Road
Maidenhead
SL6 3TZ

Comments: 11th November 2024

As a small business supplying 131 we wholeheartedly support their application. ***** team have always supported local business as well as Entrepreneurial businesses like ours over the years. I believe the elevated community offering and jobs consistently created should be acknowledged by the local council in supporting this application.

65 Cleeve View Road
Cheltenham
Gloucestershire
GL52 5NJ

Comments: 19th November 2024

Both structures would be a beautiful addition to 131 and should be actioned immediately. 131 is an iconic venue in Cheltenham providing not only jobs but an elevated space to drink, eat and stay. It would be a devastating loss to Cheltenham if it was unable to remain open due to Dickenson planning thought processes. Would it revert to the unloved, delapidated office blocks there before Mr Dunkerton sympathetically renovated it? Absolute no brainer.

57 Old Cheltenham Road
Gloucester
GL2 0AN

Comments: 22nd November 2024

i support this due to the economic growth 131 brings to cheltenham, moreover, the tents are aesthetically pleasing and bring a modern aroma to the town.

21 Queens Retreat
Cheltenham
Gloucestershire
GL51 8NU

Comments: 19th November 2024

I have no issue with the tents. They aren't the prettiest of things but they allow people to have a job.

The glass structure design keeps within the style of the property and would allow people to keep their jobs and potential open up more jobs for people in Cheltenham.

Comments: 19th November 2024

I have no issue with the tents. They aren't the prettiest of things but they allow people to have a job.

The glass structure design keeps within the style of the property and would allow people to keep their jobs and potential open up more jobs for people in Cheltenham.

The Haybarn
Manor Farm
Southam Lane
Cheltenham
GL52 3PB

Comments: 20th November 2024

Letter attached.

Flat 38
Miller Place
Milsom Street Cheltenham
Gloucestershire
GL50 4FJ

Comments: 7th November 2024

Please do not approve of this application. Any structure to the front of these properties be it permanent or temporary will detract from the integrity of the historic and architectural merit of these 5 buildings.

Comments: 7th November 2024

Please do not approve of this application. The construction of a permanent structure to the front of these 5 buildings will have a major negative impact on the buildings and the look of the area.

18 Bennington Street
Cheltenham
Gloucestershire
GL50 4ED

Comments: 27th November 2024

The hospitality industry needs to be supported.

16 Carrol Grove
Cheltenham
Gloucestershire
GL51 0PP

Comments: 27th November 2024

Fully in favour of the glass structure

25 Timperley Way
Up Hatherley
Cheltenham
Gloucestershire
GL51 3RH

Comments: 9th December 2024

Letter attached

Comments: 6th December 2024

Letter attached.

46 Prestbury Road
Cheltenham
Gloucestershire
GL52 2DA

Comments: 20th January 2025

Dear Planning / Conservation Officers.

Ref nos.

24/01763/FUL

24/01762/FUL

I recently received an email from 131 requesting that I signed a petition supporting the above Applications.

However , I do not support these applications and send you my objections to these proposals.

The front area should be returned to how it was pre Covid ,when the area was laid out as a terrace with a few tables and canvas umbrellas set amongst the topiary garden. This was totally in keeping - enhancing and not interfering with the front aspect of these beautiful historic buildings which then could be viewed as a whole.

These Listed buildings situated on one side of Imperial Square, are prominent in the most prestigious part of the town centre and an important part of Regency Cheltenham. It would be of great detriment and not in keeping with the surroundings to turn the frontage over to mass catering.*

The intended 'temporary ' tents and structures presently in situ , have been an eyesore spoiling this whole area.

The 131 Group were financially viable prior to expanding these seating areas to the front and have also since increased capacity in the rear and the basement.

What was introduced during the Pandemic ,proved to be a huge financial success to the Group and they want to keep it - whatever, and without apparently any appreciation of the privilege and responsibility inherent in owning such a historic group of properties .

* On the evidence of other of their venues eg .at Dunkerton - the tented areas proliferate and the tables are so crammed together it's difficult to move between them.

This could repeated at 125 -127;129-131,133 .despite any conditions placed upon them by Planning, as they have proved themselves willing to flaunt any restrictions and continue undeterred.

In Brief

1. These buildings are in a prime location and must be protected.

2. These structures are not necessary -131 already provides hotel ,bars , bbq, and restaurants .It was successful before the introduction of all the extra covers outside.

3. These proposed structures ,will still have a negative effect by restricting the view of the front of the Villas and spoiling the appearance of the street by not fitting in with the other buildings on the row.

4. The immediate surrounding area has abundance places to eat and drink

5. The massive extension of catering provision at the front of the Villas is detrimental to the appearance of each effected building, the Square and the image of Cheltenham as a whole.

6. 131 Group have proved they show no civic responsibility and if given consent may very well not comply to any stipulations.

Best wishes

46 Prestbury Road
Cheltenham
GL 52 2DA

Lowridge House
Station Road
Cheltenham
GL529HR

Comments: 13th November 2024

What's not to like. The proposed structure is in keeping with the architecture of the beautiful building behind. I fully support these plans and look forward to the Council approving them and allowing this great venue to continue to thrive and benefit the town

3 Brookbank Close
Cheltenham
Gloucestershire
GL50 3NL

Comments: 30th November 2024

This proposal should seriously be approved. It's a great design which still celebrates the beauty and history of the listed buildings. 131 is the heartbeat of Cheltenham hospitality and should be treasured, this proposal and design will enhance the buildings and allow this to continue to be such a vital spot of nightlife. No brainer!

The Haybarn
Manor Farm
Southam Lane
Cheltenham
GL52 3PB

Comments: 9th December 2024

Letter attached.

1 Tarrys Row
Evesham
WR11 4PQ

Comments: 27th November 2024

I think this would be a great addition to the town of Cheltenham and the building of No. 131. The building of No. 131 has improved greatly over the years through the investments made into it and I think this would one again be a further improvement to the Promenade.

Oakthorpe
Charlton Drive
Cheltenham
Gloucestershire
GL53 8ES

Comments: 27th November 2024

NONE GIVEN

11 weston park
weston-under-penyard
Ross-on-wye
HR9 7FR

Comments: 3rd December 2024

I am in full support of the purposed plan for the outside structure for 131. I firmly believe this would be an asset to the building. Care has clearly been taken to design a structure that offers a light touch. Accomplishing a lovely outdoor space without taking away from the beautiful regency architecture of the original building.

This structure also plays a crucial role in allowing an important cheltenham venue to thrive and flourish. This is a place I regular visit with my family and I would very much like to see it continue to serve the local community of Cheltenham and the many visitors of Cheltenham we are lucky enough to receive. It is vital that establishments like this are supported in order to ensure Cheltenham remains a prime location for people to visit and enjoy.

7a hatherley lane
cheltenham
gl51 6pn

Comments: 27th November 2024

NONE GIVEN

34 Pennsylvania Avenue
Cheltenham
Gloucestershire
GL51 7JP

Comments: 19th November 2024

As someone who came to think of 131 almost as a 'second home' during COVID, it would be a crying shame to see this business penalised after creating a thriving business in one of the darkest times. The site itself has gone from strength to strength with every addition made to the premises and boasts a fantastic area for both dining and relaxing.

For that reason, I am in strong support of the new proposed structure for 131 The Promenade. The design appears to be well-thought-out and aligns with both the aesthetic and functional needs of the area. This project has the potential to bring growth to the area, while maintaining the character and charm of the promenade.

The construction and subsequent operation of the new space would create and save numerous jobs, from skilled trades during the build phase to long-term retail and service roles once the development is complete. This project represents not only a chance for growth but also a lifeline for businesses struggling to thrive in a competitive environment.

54 VALE ROAD
Bishops Cleeve
Cheltenham
GL52 8ER

Comments: 8th November 2024

I believe this would be a great addition for the town. The proposed structures enhance the hotel & restaurants Regency appeal. Saves 130 jobs for for local people. Boosts the local economy by attracting more local residents & tourists to Cheltenham.

Flat 6
Macadam House
31 Bath Street Cheltenham
Gloucestershire
GL50 1YA

Comments: 20th November 2024

Love how this design looks against the white buildings, much nicer than the marquees, much more suited for the area.

Cambray Cottages
Vernon Place
Cheltenham
Gloucestershire
GL53 7HB

Comments: 19th November 2024

I fully support the design of the new proposed glass structure on the terrace of No. 131. It would be a great addition to the town and provide a great location for dining in Cheltenham.

Lypiatt House
Lypiatt Road
Cheltenham
Gloucestershire
GL50 2QW

Comments: 19th November 2024

This venue is now an important venue for Cheltenham. I entertain business customers and socialise here. I know young people who work here. It adds value to the area. The scheme is good. I agree that the 'tents' have overstayed their welcome but the glass structure is a great solution. This should be approved. The Venus is so important to the area and the surrounding venues benefit as does Cheltenham as a whole. The period buildings are beautiful but need functionality in order to be maintained and restored. The owner has invested heavily. Deserves to be awarded permission.

130 Brunswick Street
Cheltenham
Gloucestershire
GL50 4HB

Comments: 19th November 2024

I support the proposed construction as it will make Cheltenham more beautiful. This restaurant is a tradition in Cheltenham, and I really like it. The hotel's style and great location add to the charm of the town.

45 Rynal Place
Evesham
WR11 4PY

Comments: 27th November 2024

NONE GIVEN

51 Selkirk Street
Cheltenham
Gloucestershire
GL52 2HJ

Comments: 20th November 2024

I fully support the efforts by 131 to be able to use their space to enhance the town and create jobs for local people. The plans proposed are very aesthetically pleasing and only enhance the business which is a fantastic asset to the town.

Flat 5
37 Lansdown Crescent
Cheltenham
Gloucestershire
GL50 2NG

Comments: 20th November 2024

I fully support these plans. They clearly enhance the buildings which can be easily seen from the street, and as someone who lives so close I can say they respect the character of the area and they both look fantastic!

The council must stop making decisions that harm local businesses and stifle progress. Our town is already dominated by empty shops, American sweet shops, vape shops, the monstrosity that is Cavendish House, a once iconic building in Cheltenham, these all seem to get a free pass while a high-quality, locally owned business like 131 faces unnecessary obstacles especially as the only locally owned hotel of its size in Cheltenham.

131 is a flagship venue that contributes significantly to Cheltenham's late-night dining and nightlife economy. It is instrumental in maintaining our Purple Flag status, something Cheltenham should be proud of. Allowing more empty buildings to remain unused only drags us down!

These proposals align perfectly with the need to future-proof Cheltenham and ensure it remains a competitive, attractive destination for residents, visitors and businesses alike. These structures are common in thriving towns and cities, supporting footfall, the economy and community!!

Let's not hold ourselves back by pandering to a small, vocal minority who are of a certain age and don't have any interest in the future of Cheltenham. These individuals are focused on preserving their vision of the past, forgetting how these buildings used to look with a car park out front and derelict, funny how they didn't object then!

This plan is a clear step forward in ensuring a dynamic, prosperous, and forward-thinking Cheltenham. Let's not go backward.

86 Tom Price Close
Cheltenham
Gloucestershire
GL52 2LF

Comments: 27th November 2024

NONE GIVEN

32 Withyholt Court
Cheltenham
Gloucestershire
GL53 9BQ

Comments: 27th November 2024

NONE GIVEN

92 Bath Road
Cheltenham
Gloucestershire
GL53 7JT

Comments: 20th November 2024

I am writing to formally object to the proposed development at 131 Promenade on the following grounds:

1. Impact on Heritage and Listed Buildings

The proposed development would significantly disrupt the historic character and integrity of 125 - 133 Promenade, which forms part of a row of listed buildings. This development risks altering the visual appeal, heritage value, and architectural cohesion of the area. It would also adversely impact the other nearby listed buildings and the ambiance of Imperial Gardens. The proposed design is not in keeping with the character of these important buildings and would detract from the historical continuity that is central to this area.

2. Inconsistency with Existing Build Line

The proposed development appears to extend beyond the established build line of other properties in this section of The Promenade. This inconsistency disrupts the visual symmetry and uniformity that contributes to the distinctiveness and appeal of the Promenade area. The build line is a key aspect of the streetscape, and maintaining it is essential for preserving the historical context and planned layout of the area. Allowing this development would set a precedent for future applications in Cheltenham and would open the floodgates for similar applications elsewhere in the town.

3. Detriment to Local Trade and Businesses

Local business owners who have bought properties or established businesses in this area did so with a reasonable expectation that their operations would not face

competition from a large commercial space set directly outside a listed building. When the property at 125 - 133 Promenade was purchased it lacked such external facilities and Lucky Onion would have been fully aware of this.

The temporary tents and structures introduced during COVID-19 were necessary for public health and safety and allowed the area to maintain some level of economic activity under exceptional circumstances. However, these structures and the associated jobs were understood to be temporary measures. The presumption that these temporary facilities should now become permanent disrupts the pre-existing business ecosystem that was well-balanced prior to the pandemic.

4. Employment Considerations

Job creation for the proposed development should not be a primary consideration, as other local hospitality businesses are fully capable of employing staff as their trade resumes to pre-pandemic levels. Retaining the historic integrity of the area, and supporting the long-standing businesses within it, will lead to sustainable employment growth across the hospitality sector as demand recovers.

In conclusion, the proposed development is not appropriate for this historic and culturally significant location, as it would lead to a detrimental impact on listed buildings, disrupt the established build line, and negatively affect the local character and businesses in the area. For these reasons, I urge the planning authority to reject the proposal to protect the integrity and heritage of 125 - 133 Promenade and its surrounding context.

Thank you for considering this objection.

Long Barn
Aldsworth
Cheltenham
GL54 3QY

Comments: 10th November 2024

131 and the other dunkertons businesses are an asset to the town. The businesses not only employ many local people but also they have worked hard to enhance the areas they occupy.

This application and also 24/01763/FUL further provides not only an aesthetically pleasing solution, but also continues to secure important employment. It enhances and compliments the area and should be permitted. I support both applications for the applicant to choose from

10 College Road
Cheltenham
Gloucestershire
GL53 7HX

Comments: 12th November 2024

I object to both designs proposed. The 131 buildings dominate the main entrance into Cheltenham. The buildings are beautiful and should not be hidden by modern day

Page 90

structures. The tents have already ruined the buildings for the last 3 years or so even though they should have been taken down over a year ago. It's amazing what one can get away with if one has loads of money. The fact that '100 jobs will be lost' is fanciful to say the least and even if a few jobs are 'lost' then a quick look at the Indeed recruitment website will show that there are plenty of hospitality vacancies in our town. The town has to protect its architectural gems and these proposals do nothing to enhance the buildings and I've not even started on the noise which emanates from the building as a whole. These proposals are merely to enhance the hotel's profit and loss account.

41 The Broad Walk
Imperial Square
Cheltenham
Gloucestershire
GL50 1QG

Comments: 23rd November 2024

Along with my wife I object to Proposals 24/01762/FUL and 24/01763/FUL because of the following reasons.

Permitting either of these proposals would be condoning unfair business practices and continue to disadvantage other local hospitality businesses.

They will both create significant harm to the setting and buildings and will also set an unacceptable precedent that will have a long-term detrimental effect on Cheltenham's Heritage Buildings and the Central Conservation Area.

Homes in Imperial Square have to abide by a strict code - ie NO DOUBLE GLAZING as an example.

The Civic Society have explained their objections more eloquently.

8 St Pauls Road
Cheltenham
Gloucestershire
GL50 4EW

Comments: 23rd November 2024

I support this because I believe this would encourage people to visit both 131 and Cheltenham itself, it would provide a warm and secure environment for people to enjoy their free time

18 Imperial Square
Cheltenham
Gloucestershire
GL50 1QZ

Comments: 21st November 2024

Letter attached.

36C The Broad Walk
Imperial Square
Cheltenham
Gloucestershire
GL50 1QG

Comments: 28th November 2024

The reasons for my objection are:

- 1) this is a listed building. It is the architecture that draws visitors to Cheltenham not 131
- 2) 131 have never complied with planning rules. To then permit this application would condone their behaviour.
- 3) If planning is passed, this sets a precedent for other similar applications to listed buildings which would detract from Cheltenham's attractions
- 4) The noise can be unacceptable this proposed plan would increase noise levels. this would not only impact on residents in the Square, it would also detract from other businesses located here.
- 5) 131 have ample space at the rear of their buildings that could be utilised which would not detract on the beauty of the buildings.

14 Whaddon Avenue
Cheltenham
Gloucestershire
GL52 5NW

Comments: 20th November 2024

I am writing to express my enthusiastic support for the planning application for the proposed metal structure at No. 131. As a frequent visitor, I believe this addition will greatly benefit the restaurant, its patrons, and the community as a whole.

This structure is essential for the following reasons:

- * Ensuring the viability of a cherished local business: No. 131 is a vital part of our community, offering delicious food, friendly service, a lively atmosphere. This structure will allow them to operate throughout the year, protecting local jobs and contributing to a thriving local economy.
- * Minimal visual impact: The proposed structure's see-through design is particularly commendable. It ensures uninterrupted views of the beautiful Grade 2 listed building behind it, preserving the area's historic character. This sensitive approach to design demonstrates a commitment to integrating the structure seamlessly into its surroundings.
- * Expanding opportunities for the community: By providing a covered, weather-protected space, the structure allows No. 131 to host a wider range of events. This creates more

opportunities for residents and visitors to enjoy the restaurant's and the bar's offerings, whether it's a casual meal, drinks with friends, a celebratory party, or even a wedding reception.

I urge you to approve this application. This thoughtful and innovative solution will significantly enhance the restaurant's and the bar's ability to serve the community and thrive in the long term.

Comments: 19th November 2024

I am writing in strong support of the planning application for the proposed metal structure at No. 131. As a regular patron, I believe this addition would be hugely beneficial to both the restaurant and the wider community.

Here's why:

Preservation of a valued local business: No. 131 is a beloved establishment that provides excellent food, a welcoming atmosphere, community events. Allowing them to adapt to the current climate ensures their continued success and prevents the loss of a valuable local asset.

Economic benefits: By enabling the restaurant to remain open, this structure will help safeguard jobs and contribute to the local economy.

Enhanced dining experience: The proposed structure offers a solution for limited outdoor seating, weather-dependent operation while maintaining a comfortable and enjoyable dining experience.

I understand the importance of preserving the area's aesthetics. I trust that the design and implementation of the structure will be carried out in a way that minimizes any visual impact and is in keeping with the surrounding environment.

I urge you to approve this application, which will have a positive impact on the vitality of our community.

9 Somme Road
Cheltenham
Gloucestershire
GL52 5LJ

Comments: 19th November 2024

I think this would be a great improvement to the town and be a fantastic addition No. 131 and the promenade.

16 knapps cres
woodmancote
chelteneham
gl52 9hg

Comments: 2nd December 2024

Really exciting, I hope it goes through. It will be such a wonderful addition to an already beautiful location. Julian has really elevated cheltenham as a town and I fully support his plans

10 Belworth Court
Belworth Drive
Cheltenham
Gloucestershire
GL51 6HG

Comments: 27th November 2024

Great investment for Cheltenham, hospitality sector, old-new era architectural design.

1 Sycamore Lodge
69 The Park
Cheltenham
Gloucestershire
GL50 2RU

Comments: 28th November 2024

We should be encouraging investment into the town of Cheltenham.

This would only enhance The Promenade and continue to help Cheltenham progress forward.

A considered design that respects the buildings already in-situ.

12 Montpellier Arcade
Cheltenham
Gloucestershire
GL50 1SU

Comments:

NONE GIVEN

Flat 25
The Courtyard
Montpellier Street
Cheltenham
Gloucestershire
GL50 1SR

Comments: 11th November 2024

I notice that supporters of this scheme to date are not living nearby and appear to have commented before wider distribution of the details of this scheme, presumably because they have been approached to do so.

The Regency terrace in question is very much part of the listed Imperial Square buildings and adjacent to the fine architectural example of the Queen's hotel.

The construction proposed in front will completely conceal the beauty of the terrace and destroy what is a vital part of Regency Cheltenham. It does not improve in anyway the tentage erected during the Pandemic and simply adds another modern eyesore to it.

The bar and restaurant facilities created by this development are much too large for the location and have severely affected business at other small hospitality venues nearby which have suffered as a result. Also the levels of noise by loud music generated during the day and at night, especially during the weekend, cause considerable annoyance to residents nearby.

The economic considerations quoted about the 100 employees are nonsense since there are many other hospitality locations nearby who are having great difficulty in recruiting staff and there is a well-known general shortage of hospitality staff in Cheltenham as in the rest of the UK.

It will be very sad if the council bends to the economic power of one individual at the expense of losing architectural beauty and the merits of protecting the town's historic heritage.

2 Hatherley Street
Cheltenham
Gloucestershire
GL50 2TU

Comments: 18th November 2024

I strongly object to this application. The existing tents were allowed as part of the support package for hospitality businesses during Covid. They should have been removed years ago.

The buildings are amongst the finest in Cheltenham, listed Grade2*. The proposed glass sheds will obscure their frontage and completely spoil their appearance. The applicant's drawings, showing empty, comparatively transparent sheds are completely misleading - in reality they will be full of furniture, serving stations and people. This would spoil the buildings and reduce the attraction of Cheltenham to visitors by spoiling its finest square. The application should be rejected.

36 Mitchell Way
Cheltenham
GL54 2pL

Comments: 27th November 2024

I think these looks great and I'm fully supporting they are a important source of employment for many locals

22
Wheeler Way
Malmesbury
sn169gd

Comments: 11th November 2024

I would like to express my strong support for this planning application. I regularly visit Cheltenham and my friends and I are customers of 131, a venue that provides an exceptional experience and draws people from surrounding areas. Many people I know travel from outside Cheltenham specifically to visit 131 for meals and special occasions. This contributes to the local economy and supports businesses such as shops in the area. The addition of glazed structures for dining and drinking facilities will enhance the venue's appeal, maintaining the outdoor space that we all enjoy using, while the installation of PV panels demonstrates a commitment to sustainability. This proposal not only preserves but enhances the character and attraction of the whole Promenade, making it a win for both the community and the environment.

8 Welch Road
Cheltenham
Gloucestershire
GL51 0DZ

Comments: 27th November 2024

The approval of one of the applications keeps Cheltenham progressing forward, the design is considered and non-offensive to the building. The investment to the townhouses to which this is an addition too has given locals and visitors a great venue to visit.

28 Meadow Brown Road
Coombe Hill
GL19 4FA

Comments: 27th November 2024

I really like the proposed glazed structure.

4 The Park
Cheltenham
Gloucestershire
GL50 2SG

Comments: 9th November 2024

I support both schemes submitted. They add valuable outdoor leisure space to a much neglected street and has greatly improved the visual and social attraction of the town. That it also contributes to the visitor experience is equally beneficial.

4 Colesbourne Road
Cheltenham
Gloucestershire
GL51 6DL

Comments: 20th November 2024

The glazed structures are looking so elegant! I vote for these.

5 Victoria Place
Cheltenham
Gloucestershire
GL52 2ET

Comments: 27th November 2024

I am writing to express my full support for the planning application for 131 in Cheltenham. As a member of the local community, I believe this development will be a valuable addition to the area, offering a vibrant and dynamic venue that will benefit both residents and visitors alike.

Cheltenham is a town known for its rich cultural scene and thriving hospitality industry, and this new structure will only enhance the existing offering, providing a high-quality space for socializing, dining, and enjoying the diverse culinary experiences that attract people to the area. The proposed establishment is well-positioned to complement nearby businesses and will contribute to the local economy by supporting existing and new jobs and attracting further investment into the town.

Furthermore, the design of the venue and its potential to host a variety of events will add to the cultural vibrancy of Cheltenham, aligning with the town's goals of fostering a lively, welcoming atmosphere. I believe that this development will be a positive step in the continued growth and rejuvenation of the area.

I trust that the planning committee will give due consideration to the benefits this proposal offers and I encourage you to approve the application.

2 Kings House
17 Brookbank Close
Cheltenham
Gloucestershire
GL50 3NL

Comments: 19th November 2024

I fully support the application and I really love the design and will be beautiful for Promenade!

28 Rivelands Road
Cheltenham
Gloucestershire
GL51 9RF

Comments: 19th November 2024

The proposed erection of the glazed structures will be in fitting with the current building and is sensitive to Cheltenham centre. 131 has become a destination for many, both Cheltonians and external visitors to the Cotswolds we should all be supporting this proposal to a building which has elevated the town centre offerings.

27 Ivy Crescent
Bevere
Worcester
WR3 7DP

Comments: 19th November 2024

I fully support the addition of this structure to the current property. The design has been carefully considered to be in-keeping with the neighbouring architecture. The hotel is an incredible and iconic asset to the town.

10 Devonshire Street
Cheltenham
Gloucestershire
GL50 3LS

Comments: 20th November 2024

I am pleased to support the proposal for the glass structures as part of the Terrace Restaurant project. This modern and sophisticated design will be a striking addition to Cheltenham, enhancing the town's appeal while complementing its existing character.

The glass structures not only bring a contemporary aesthetic but also create a welcoming and versatile space for locals and visitors alike. Projects like this are vital for fostering

growth, supporting local jobs, and solidifying Cheltenham's status as a thriving cultural and social destination.

Kensington House
33 Imperial Square
Cheltenham
Gloucestershire
GL50 1QZ

Comments: 22nd November 2024

I live in Imperial Square and object to the proposals for the changes to 131.

Before the tents were erected for covid, the building behind were beautiful and fitted in with Square. This proposal will hide the facade of the building which I do not support.

Our house is also a listed building, I am not able to even install double glazing, or make any changes to the facade of the house. Any additions to the front of my property would be prohibited in order to preserve the look and historical importance of the building. I do not understand why 131 should have different rules applied.

I have read the economic argument and if they do want a covered area extension, there is no reason why they could not utilize the area at the back of buildings to expand. However, they want customers to be able to look at the gardens, the houses and view outside. However, their extension at the front would not provide us with the same beautiful view, we would be looking at the proposed extension.

In addition, there are plenty of restuarants, bars and hospitality venues looking for staff and the people employed at 131 would be able to easily find alternative employment within Cheltenham and the surrounding area.

Overall, it seems unfair that 131 is seeking special arrangements which others on Imperial Square are no afforded. They have broken the rules by not removing the tents when asked and are not attempting to circumvent the rules again.

63 Cypress Road
Tewkesbury
GI20 7RB

Comments: 27th November 2024

Hospitality is facing a challenging time and we must support these proposals to prevent decline in the buildings and the town.

24 lewis lane Cirencester
Cirencester
GL7 1EA

Comments: 19th November 2024

I am writing to express my support for the planning application to install a glass structure outside No. 131, Cheltenham. The proposed design is a modern addition that complements the building's historic character while enhancing its functionality and visual appeal. The structure will provide a practical covered space, enhancing the building's usability.. This thoughtful proposal reflects a respectful yet forward-thinking approach to property development.

45 Rynal Place
Evesham
WR11 4PY

Comments: 27th November 2024

I fully support the planning application proposed and the addition of this structure allows No. 131 which is such a unique site to remain which is great for the town of Cheltenham.

6 fairway
calne
calne
sn11 0lb

Comments: 28th November 2024

Investment of this level in a hospitality venue will ensure job security for the people who work here as well as create jobs. In a sector where we need to build and progress a venue like this is a showcase of what can be done to enhance a venue without detracting from its surrounds.

Hazyview 2st Aidans Row,
School Road,
Aston Somerville
WR12 7AS

Comments: 13th November 2024

I fully support the hotel planning application submitted. This development will enhance the local area by revitalizing a neglected site, adding much-needed accommodations, and improving the overall aesthetic appeal of the town. The project promises to attract visitors, support local businesses, and contribute to the town's reputation as a vibrant and welcoming destination. The added amenities will also benefit residents, creating a positive social and economic impact on the community.

177 Bath Road
Cheltenham
Gloucestershire
GL53 7LY

Comments: 22nd November 2024

I support this cause it will bring more revenue to the town

29 Buckholt Way
Brockworth
GL3 4RH

Comments: 11th November 2024

131 is an important landmark in Cheltenham and a social space to be proud of. The outside area is essential and replacing the temporary outside marques with a beautiful permanent glass structure that is in keeping with its surroundings has my full support.

29 Somerdale Avenue
Gloucester
GL3 4wq

Comments: 8th November 2024

NONE GIVEN

90 Cromwell Road
Cheltenham
GL52 5DU

Comments: 21st November 2024

The project has my full support as it will revitalise the area and and keep the jobs that would otherwise be lost due to downsizing the restaurant. The proposed structure will, if carried out as planned, blend in nicely with the buildings and will not alter the structure of the buildings permanently. There are buildings on the Promenade that look much worse with all those garish adverts displayed in the windows.

To all those objecting the project - please look at the Museum of Military History in Dresden, Germany; or the Port Authority Building in Antwerp, Belgium. New additions (much more modern in those examples, by the way) can complement old buildings. There is no need to live in the past. Cheltenham needs new projects that will attract customers and sustain businesses .

31 Bronsart Road
London
SW66AJ

Comments: 8th November 2024

I'm a frequent visitor to Cheltenham with my family, drawn by its vibrant atmosphere and unique charm. There aren't many towns in the UK quite like it, and I'm an enthusiastic advocate for everything Cheltenham has to offer, including the races, it's festivals and its cultural scene.

I'm fortunate to stay at 131 regularly, and I've always found it to be a truly chic hotel that offers an exceptional experience for visitors. It brings a touch of the elegant, al fresco dining culture seen in Europe to the heart of Cheltenham, creating a refined experience that perfectly complements the town's distinctive character.

I believe we should continue to support places like this to keep towns like Cheltenham having unique venues so there will always be vibrant destinations for us visitors to enjoy and explore.

103 Linden Avenue
Prestbury
Cheltenham
Gloucestershire
GL52 3DT

Comments: 14th November 2024

I 100% support the new designs.

I moved to Cheltenham 20 years ago. One of the reasons that I moved here was the mix of contemporary and historic design and culture within the town, something in stark contrast to other towns where retail and hospitality businesses are failing and buildings are falling into disrepair.

To say that this building was an eyesore before 131 is an understatement. I saw very little noise at that time from those who claim to want to protect Cheltenham's heritage when these buildings were fronted by badly parked cars and a frontage in good need of some TLC. From an aesthetic point of view, the glass structure adds to the town and the area, whilst still allowing people to see the original structure - if that's what floats their boat!

131 joins up Montpellier with the rest of the town, and I would suggest that other businesses have thrived and benefited since 131 was established. We should be encouraging growth in our town, not stunting it!

Establishments like this create jobs and attract people to our town, that's why there are comments from far afield - in response to a previous speculative and unfounded comment. And from the Cheltenham Civic Society, I'd like to see some evidence from them on who visited the town to look at these specific buildings when they were an insurance shop, prior to the changes, as compared to the people who visit Cheltenham

BECAUSE of this establishment in its current form. Regarding the previous comment about lots of jobs in hospitality, I can assure you that most jobs in hospitality will not treat their staff as well as 131 do.

Having watched the comments on Facebook and other Social platforms, I can see that the opposition is mainly from a particular demographic in terms of age and ethnicity, but I think Cheltenham has progressed to be a much more inclusive and multicultural town in recent years. Our town and its buildings need to reflect the current culture and demographic, to be progressive and a good mix of contemporary and traditional. Progression, not stagnation.

Hill barn
Sudeley Road
Winchcombe
GL54 5jb

Comments: 27th November 2024

I think this is a very good idea and will look very nice with in the area. along with the continuation for T&L

36 Deacle Place
Evesham
WR11 3DE

Comments: 27th November 2024

NONE GIVEN

Flat 17
Waterloo Street
Cheltenham
GL51 9BY

Comments: 27th November 2024

This design really compliments the building.

14 Albert Street
Cheltenham
Gloucestershire
GL50 4HS

Comments: 27th November 2024

NONE GIVEN

14 Finchmoor Mews
Gloucester
GL2 9AR

Comments: 27th November 2024

NONE GIVEN

5 William Booth Hall
240 Swindon Road
Cheltenham
Gloucestershire
GL51 9HY

Comments: 8th November 2024

I have been a local resident for many years and see the positive impact of 131's hospitality to the local and surrounding area. Outdoor dining/seating is a modern, unobjected, standard in hospitality. It is present upon many listed buildings - such as Manchester and other cities. The local Imperial Square features outdoor space without the same consideration as this lovely design that compliments the surroundings. These are fixed to the floor - not the building, therefore there is no risk, just reward. Let us support those businesses - however big or small that support or community.

Comments: 8th November 2024

I have lived in the town for many years and clearly see the positives from the hospitality of 131 to the local and surrounding areas. Nearby areas such as Imperial Square are attractive but haven't taken in the same consideration as this beautiful outdoor seating designs. We should promote people who help the community grow and this is a great solution. Hopefully a local blacksmith can help too. This does no harm and can only be a good thing to get a seat on the busy race days!

Dowdeswell Park
London Road
Charlton Kings Cheltenham
Gloucestershire
GL52 6UT

Comments: 20th November 2024

I have been following the process for a while and I feel that the glass option suits the front of the building. Allowing the owner to have a stunning restaurant and the people of Cheltenham to look at a stunning addition to the prom.

***** has invested a lot of time and money in This building and it would be a disaster for all if permission was not granted.

No 131 has become the place to go not only for locals but the wider audience from the london etc and I fully support the new look.

106 Long Mynd Avenue
Up Hatherley
Cheltenham
Gloucestershire
GL51 3QS

Comments: 20th November 2024

I am delighted to see the plans for the Terrace Restaurant moving forward and would like to express my strong support for this project. Cheltenham stands to benefit greatly from this development, which aligns beautifully with the town's commitment to growth and cultural enrichment.

The proposed glass structures and metal pergolas blend modernity with elegance, enhancing the area while respecting its surroundings. This project will undoubtedly bring new opportunities for local employment, attract visitors, and solidify Cheltenham's status as a vibrant destination. I look forward to witnessing the positive changes this will bring to our community.

2 Courtrai
Lansdown Road
Cheltenham
Gloucestershire
GL51 7AF

Comments: 20th November 2024

I fully support the proposed plans for the Terrace Restaurant and am excited about the potential benefits this project will bring to Cheltenham. The design, incorporating glass structures and metal pergolas, offers a fresh, modern aesthetic that complements the town's charm and character.

This initiative is more than just a development-it represents an investment in Cheltenham's future by fostering local job creation, attracting visitors, and reinforcing the town's position as a cultural and economic hub. I'm eager to see this vision come to life and the positive impact it will have on our community.

Wayhill
Spelsbury Road
Charlbury
OX7 3LS

Comments: 27th November 2024

I am writing to provide my total approval of this application 24/01762/FUL and 24/01763/FUL for the development of the front of the no.131 premises.

These Grade 2 listed buildings are in themselves, incredibly beautiful and both of these applications will only go to further enhance this. Additionally, the installation of PV panels highlights the business' eco friendly credentials.

These buildings (and the business itself) are a central part to the town of Cheltenham providing not only a significant focal point but also attract business from all over the country (and internationally). I visit regularly to no.131, enjoy stunning food, relax in a beautiful setting and (quite often) spend more in surrounding businesses also - I am absolutely certain that no.131 provides fantastic employment opportunity and is for the greater good of supporting other local businesses in the town (where it is well documented that the high street and retail have really struggled over the preceding years). Any help to these sectors should be gratefully welcomed. A rejection to either of these applications will send a detrimentally strong signal to business owners in the local area.

It is for these reasons that no.131 should be given every opportunity to proceed with these applications and continue to be a shining light not only on the promenade but also in Cheltenham itself.

36 Pennylands Way
Winchcombe
GL54 5GB

Comments: 20th November 2024

The glazed structures will add to the character of the buildings

20 Tom Price Close
Cheltenham
Gloucestershire
GL52 2LF

Comments: 21st November 2024

I fully support the proposed project at 131, as I believe it will significantly benefit our community. The design respects Cheltenham's architectural heritage and will enhance the surrounding area without compromising the integrity of the existing buildings.

This venue is crucial for our town, providing over 100 essential jobs we must protect, especially given the recent decline in local businesses, pubs and restaurants. We must rally behind the hospitality sector, and this project exemplifies the support we should offer.

*****dedication to making Cheltenham a better town and generating jobs is admirable; losing 131 The Terrace would be a tremendous setback for our community. Cheltenham must adapt and embrace innovative designs like this one to ensure our town remains vibrant, particularly with the increasing number of vacant establishments in the hospitality industry.

Moreover, 131 plays a crucial role in our nightlife and offers exceptional dining experiences, serving as a cultural hub that appeals to diverse age groups and lifestyles. Let's come together to endorse this promising proposal for the benefit of Cheltenham's future.

5 Victoria Place
Cheltenham
Gloucestershire
GL52 2ET

Comments: 23rd November 2024

I write in full support of either application for a permanent external dining area at 131, but with a slight preference for this option. Regardless, I think it would be a huge mistake and missed opportunity if one of the two proposals were not approved.

131 is a special venue in the town, enjoyed by so many. The proposals are well thought through, with a high level of consideration for the character and style of the existing buildings.

The business of 131 (combined hotel, restaurant, bar...) are an important source of employment for many locals, who alongside the owner work tirelessly to deliver a unique experience for both locals and visitors to Cheltenham.

160 Hatherley Road
Cheltenham
Gloucestershire
GL51 6EW

Comments: 24th November 2024

I think that the proposals are a wonderful idea, they improve the overall look of Cheltenham town while maintaining the same regency aspect celebrated. I believe that the many jobs No.131 provide should be given a large amount of consideration, and it would be a shame to leave so many people redundant when they've already established a lovely working environment.

13 Lyefield Road West
Charlton Kings
Cheltenham
Gloucestershire
GL53 8EZ

Comments: 24th November 2024

I fully support the proposals for 131. The design thoughtfully preserves the historic buildings while enriching Cheltenham's character. Importantly, the proposed structures do not obstruct the view of the buildings, allowing their historic features to remain clearly visible. 131 plays a very important role in the town, offering over 100 jobs and a diverse

range of dining. With the hospitality sector facing closures and increasing vacant premises, backing projects like these is essential, and losing this venue would be a significant loss for Cheltenham.

Willow Forge
Lower Apperly
Gloucestershire
GL19 4DS

Comments: 19th November 2024

I fully support the addition of these structures to 131. This structure will bring a sold investment to Cheltenham and support the jobs of all the local people who work there.

I think this design is a great like touch approach to provide additional seating to 131. 131 is one of the best bars in Cheltenham and allowing them to add this development will encourage people to go out and invest back in the community.

Garden Flat
24 Warden Hill Road
Cheltenham
Gloucestershire
GL51 3AW

Comments: 21st November 2024

As a long-term Cheltenham resident, I've known the buildings in question as being of great significance in relation to Cheltenham's premier Square. I regretted the installation of marquees in front of them during COVID, but accepted them as a temporary expedient. They should by now have been removed, and the buildings' full gracious frontages once more revealed. The application if granted will result in permanent substantial damage to the setting and appearance of the three Grade II* buildings. It will also change for the long term the view of the Promenade as you approach from Montpellier.

53 Pittville Lawn
Cheltenham
Gloucestershire
GL52 2BH

Comments: 28th November 2024

NONE GIVEN

22 Glencairn Court
Lansdown Road
Cheltenham
Gloucestershire
GL50 2NB

Comments: 23rd January 2025

No. 131 provides vital jobs for many local people and has brought life back to Cheltenham. It is a fabulous place to eat and drink with family, friends and colleagues and it would be such a loss to lose this space. Regardless of your thoughts on ***** himself, don't punish the many people he employs and who enjoy his establishments. He has renovated those buildings and without him, they would be in a much worse state.

8 Sandford Court
Humphris Place
Cheltenham
Gloucestershire
GL53 7FA

Comments: 19th November 2024

We should help the hospitality industry however we can to survive and thrive in tough conditions with rising wages and food costs.

Stoke Road
Bishops Cleeve
GL527YA

Comments: 27th November 2024

The application is supported. It is important to support the local workforce and employers. The subtle modern design will compliment the existing regency architecture.

65 Hales Road
Cheltenham
Gloucestershire
GL52 6SR

Comments: 2nd December 2024

I love going to 131, its a fantastic venue and a great addition to Cheltenham. In full support.

24 Bloomsbury Street
Cheltenham
Gloucestershire
GL51 8PG

Comments: 20th November 2024

Plan for a glass terrace cover can bring a lot of benefits to the town. It not only enhances the aesthetic appeal of properties but also provides a modern, sustainable solution for maximizing space and light. Glass terraces can offer residents and business beautiful, versatile spaces that can be used year around, regardless of weather conditions. This innovation could attract , more people to the area, promote eco friendly design. Additionally, it could create new job opportunities!

40B The Broad Walk
Imperial Square
Cheltenham
Gloucestershire
GL50 1QG

Comments: 25th November 2024

Letter attached.

40B The Broad Walk
Imperial Square
Cheltenham
Gloucestershire
GL50 1QG

Comments: 25th November 2024

Letter attached.

flat 5, 15 lansdown place
cheltenham
gl50 2hx

Comments: 27th November 2024

I fully support the new glass structures for No. 131 The Promenade. The proposed designs look wonderful and are really in-keeping with the area. It ties in both the traditional and modern look. As a local resident I can safely say that 131 is a real hub of cheltenham -this new design will bring more people to the area, which in turn will also benefit other local businesses. Overall, it's a fantastic proposal and I can't to see the final thing!

17 Caernarvon Close
Cheltenham
Gloucestershire
GL51 3LQ

Comments: 8th November 2024

I fully support this structure it looks good and enhances the buildings behind rather than hide them while helping to support the business and surrounding areas. Let's not forget these buildings wouldn't be well kept and looking beautiful if they hadn't had a lot of restoration from the owner and the hospitality business wasn't there to maintain them.

Tythe Barn
Lower Dowdeswell
Cheltenham
GL54 4lx

Comments: 21st November 2024

I would like to offer my support for ***** and 131.
Driving Cheltenham's Excellence into the future.

I have known ***** for over 30 years and can confidently attest to his integrity, impeccable taste, and unwavering passion for Cheltenham. His lifelong connection to this town, coupled with his deep appreciation for its architectural heritage, has been a constant and defining aspect of his work.

***** investments in Cheltenham and the surrounding area have been nothing short of transformative, bringing significant positive change. His commitment to preserving and enhancing great historic buildings has set a benchmark for excellence.

No. 131 is a Beacon of Quality!

We frequently dine at the two outstanding restaurants at 131, which are synonymous with exceptional quality. The cocktail bar is without doubt the premier destination in Cheltenham, and we consistently recommend the hotel to visiting friends as it offers unparalleled hospitality. These venues contribute to the town's reputation as a credible, high-end destination a standard that is vital for Cheltenham's continued growth.

This progress should not be taken for granted. It is our collective responsibility to support the evolution of our town to meet the expectations of premium clientele who seek luxury, sophistication, and authenticity.

While I find this the proposed option 1 visually appealing, I believe the other is better suited to meet the town's needs. Regardless of the choice, it is clear that increased hotel capacity is essential to support Cheltenham's growing demand. The designs reflect thoughtful planning and a commitment to high standards, as evidenced by ***** track record.

Progress requires bold decisions, and ***** has continually demonstrated his dedication to Cheltenham through his work at 131 and beyond. His vision has inspired

the town to achieve new heights, and this investment represents an opportunity to secure its future as a sophisticated, thriving destination.

Comments: 21st November 2024

I would like to offer my support for Julian Dunkerton and 131.
Driving Cheltenham's Excellence into the future.

I have known Julian Dunkerton for over 30 years and can confidently attest to his integrity, impeccable taste, and unwavering passion for Cheltenham. His lifelong connection to this town, coupled with his deep appreciation for its architectural heritage, has been a constant and defining aspect of his work.

Julian's investments in Cheltenham and the surrounding area have been nothing short of transformative, bringing significant positive change. His commitment to preserving and enhancing great historic buildings has set a benchmark for excellence.

No. 131 is a Beacon of Quality!

We frequently dine at the two outstanding restaurants at 131, which are synonymous with exceptional quality. The cocktail bar is without doubt the premier destination in Cheltenham, and we consistently recommend the hotel to visiting friends as it offers unparalleled hospitality. These venues contribute to the town's reputation as a credible, high-end destination a standard that is vital for Cheltenham's continued growth.

This progress should not be taken for granted. It is our collective responsibility to support the evolution of our town to meet the expectations of premium clientele who seek luxury, sophistication, and authenticity.

While I find this the proposed option 1 visually appealing, I believe the other is better suited to meet the town's needs. Regardless of the choice, it is clear that increased hotel capacity is essential to support Cheltenham's growing demand. The designs reflect thoughtful planning and a commitment to high standards, as evidenced by Julian's track record.

Progress requires bold decisions, and Julian Dunkerton has continually demonstrated his dedication to Cheltenham through his work at 131 and beyond. His vision has inspired the town to achieve new heights, and this investment represents an opportunity to secure its future as a sophisticated, thriving destination.

St Mary?s
Eastcombe
GL6 7dy

Comments: 21st November 2024

131 is a credit to Cheltenham and is a go to destination for friends, families, colleagues and suppliers.

Both options are great alternatives to the existing tents and I am fully supportive of either being built.

17 Brosnan Drive
Cheltenham
Gloucestershire
GL51 0GD

Comments: 17th November 2024

The Cheltenham Civic Society excels in safeguarding Cheltenham's architectural heritage. Their dedication to preserving the town's historical and cultural landmarks is commendable. Given their expertise and proven track record, I see no reason not to heed their advice in this application. Their insights and recommendations are invaluable in ensuring that our built heritage is protected for future generations.

56 Harvest Street
Cheltenham
Gloucestershire
GL52 3PQ

Comments: 17th November 2024

I have lived in Cheltenham since I was 13, worked in kitchen jobs as a teenager which taught me so many things that still apply today at the ripe old age of 41. I understand the objections, but lets be pragmatic, do this in a tasteful way and protect jobs and allow people to grow their businesses for the benefit of the community. The proposed structures in either form will not be detrimental, it will add further to what is a thriving business and local area.

Flat 7
33 Lansdown Crescent
Cheltenham
Gloucestershire
GL50 2NG

Comments: 27th November 2024
NONE GIVEN

63 Naunton Park Road
Cheltenham
Gloucestershire
GL53 7DG

Comments: 26th November 2024

I believe this design will elevate an already brilliant establishment. 131 has become a key part of hospitality and nightlife within Cheltenham, popular among locals and visitors. The proposed new structure will improve the fantastic facilities we know and love, as well as improving the look of the promenade in general - and area of Cheltenham vital at busy times of year such as race week and when Cheltenham festival take place.

Flat 11
knapp road
st.James Court
GL50 3QQ

Comments: 19th November 2024

I really support the planning application for the new structure.

4 Prospect Terrace
Fairview Street
Cheltenham
Gloucestershire
GL52 2JG

Comments: 19th November 2024

I support either of the proposals for outside covers at 131 - maybe slightly preferring the retractable roof.

Since COVID, 131 has been a vibrant and lively place for people of all ages and ways of life to enjoy socialising with family and friends. The extra outside space has helped to facilitate this, creating a welcome connection between town and Montpellier whilst creating jobs for locals.

Although there are alternative options for covers, such as umbrellas, these rarely offer the desired cover from the great British weather, and usually become a bit grubby. The comfort offered by the current tents is a real selling point to visit 131, and in my opinion - they have not been an eye sore

Preventing the erection of glazed structures outside 131 doesn't really make much sense to me when weighing everything up. Sure 131 is a Grade II listed building, but we should be celebrating these buildings and making fine use of them (as 131 is currently doing). Glass structures will not ruin the aesthetic or feel of the building - they will help to add a beautiful atmosphere to a beautiful building and town.

26 Hopwood Grove
Cheltenham
Gloucestershire
GL52 6BX

Comments: 8th November 2024

The idea of having a restaurant at the front gate of No131 not only brings life to The Promenade, but also accommodates hundreds of people that come to this beautifully town and give jobs to the residents that are part of the town.
We shall not give our backs to a business that exists and will exist, for Cheltenham.

2 Snowhill Drive
Bishops Cleeve
Cheltenham
GL52 8SY

Comments: 21st November 2024

I love the design for the new terrace area at 131, I think that it will only enhance not only the 131 building, but also compliment the surrounding buildings.

With so many high street shops and hospitality venues closing around Cheltenham, it would be terrible to see it happen to 131 for something that has clearly been well thought through and would provide a positive outcome for both 131 and Cheltenham town if allowed to happen.

Shaftesbury Hall Student
Accommodation
Clarke Way
Cheltenham
Gloucestershire
GL50 4AX

Comments: 22nd November 2024

I really like the plan and the design is great.

Apartment 10
Regent House
Montpellier Drive Cheltenham
Gloucestershire
GL50 1TX

Comments: 17th November 2024

I believe that the 131 building and hotel is an iconic building and an important hub which helps enrich the character of Cheltenham. I love how the public are able to enjoy the renovations of the inside of the building. I applaud the new design which will continue to bring visitors into Cheltenham while reflecting the beautiful facade of the building.

18 Peregrine Road
Cheltenham
Gloucestershire
GL53 0LL

Comments: 12th November 2024

I Fully support the addition of this structure to the current property. It would be a great addition and improvement to what already is an asset to the town.

23 Imperial Square
Cheltenham
Gloucestershire
GL50 1QZ

Comments: 22nd November 2024

The buildings to which this application pertain have been an important part of Cheltenham's architectural and cultural heritage for around 200 years, with a particular significance given their visibility at the heart of the town. Any change to the appearance of these buildings should therefore only be accepted in exceptional circumstances and not where the justification is based on relatively short term outcomes or on private gains.

I believe that justification for the proposal is suggested on the basis of an increase in visitor numbers and on the creation of local employment.

Firstly, without hard data to show that there is highly likely to be a material increase in visitors to Cheltenham purely as a result of the change to these buildings and that any such increase will be to the economic benefit of the town, and not just to the businesses conducted in the buildings, such a claimed benefit should be ignored. Any claimed (and evidenced) material benefit would still need to be considered in the context of not detracting from the enjoyment of other aspects of the town through, for example, increased noise or traffic.

Secondly, the suggestion that the development is needed to support employment in the town seems far-fetched. I would be sceptical of the view that the development specifically supports all of the jobs that are suggested, rather than a subset that are directly attributable to the space created by the development. I also note that the hospitality sector more widely is struggling with a shortage of labour so it seems that job creation in this sector is not a high priority at this time.

It seems to me that the application is primarily driven by a desire to increase the profit potential from the site(s). Whilst profit is not a bad thing, it is not a basis for making a long term change to these specific buildings, which will be an important part of the culture and history of Cheltenham long after these particular businesses have gone.

19 Amber Road
Bishops Cleeve
Cheltenham
gl52 7zg

Comments: 11th November 2024

What a great proposal.

It looks much more in keeping with the town and the venue but will also mean the property can keep operating as a beautiful and popular hospitality venue.

With other venues shutting down completely or going up for sale, this becomes even more important for a local business to remain viable and help Cheltenham to generate revenue from people coming to visit and stay.

Having experienced the great work of the team that work there on a number of occasions, keeping them in safe and secure jobs should also be a priority.

7 Nightingale way
South Cerney
Nr Cirencester
GL75WA

Comments: 11th November 2024

I fully support this design as not only in keeping with the ironwork designs in our glorious town it doesn't look out of place in front of the beautiful restored buildings.

Cheltenham and certainly Montpellier would benefit from an enhanced and elegant structure along the Promenade. Bravo

1 Coates Mill Cottages
Winchcombe
GL54 5NH

Comments: 12th November 2024

Both of Dunkerton's proposals are awful. There should be nothing in front of the villas taller than 2 metres. Don't be bullied.

7
Station Road
Newnham
GL14 1DH

Comments: 27th November 2024

I fully support the project, which will provide a location which does not affect traffic or noise also providing Cheltenham with a location full of vibrancy and class . Looking at the plans it does not take anything from the regency buildings in fact in my opinion they bring them into the 21st century which is so called progress!!!

Apartment One
27 Park Drive
Harrogate
North Yorkshire
HG2 9AY

Comments: 11th December 2024

I am sending this email to you to share my support for the planning applications for no131 the promenade.

>

> My husband and I visit Cheltenham from Harrogate a few times a year and we are always welcomed, Cheltenham feels like a home from home for us, very similar period architecture which we love.

>

> We frequently stay at no131 during our visits. We first chose to stay at no131 as they have done a fantastic job honouring the beautiful architecture of the building in their interior design (which many hotels don't) but also great food and atmosphere in the restaurants both inside and out.

>

> The space that no131 intend to use to the exterior of the building is very much in keeping with the area in my opinion. It honours the grandeur of the building, whilst providing a great space for locals and tourists to enjoy everything Cheltenham has to offer.

>

> One thing that really stands out to me in Cheltenham (and the Cotswolds) is the clever use of space to create great customer experience using period buildings and their exterior's. Something I believe is lacking in North Yorkshire where we live, it is a massive opportunity for the hospitality industry here to 'up its game' in this space and take some ideas from other counties!

>

> It would be such a shame to see something that works so well and has been planned so considerately, provides local jobs and boosts local economy to not be able to go ahead.

>

> The knock on effect that no131 has to the footfall of other local businesses would massively be impacted if it could not continue to operate.

>

> To be really honest here, If no131 was not there to be enjoyed, we would not visit Cheltenham anymore and stay elsewhere in the Cotswolds each visit. It gives a reason to visit Cheltenham, specifically the area around Montpellier and without it I feel other local businesses would suffer.

>

> Thank you taking the time to read this email

6 Springfield Road
Cashes Green
Stroud
GL5 4RE

Comments: 23rd January 2025

We strongly support this request. It will only benefit the town and economy, most importantly keeping people in jobs to pay their bills!

Flat 3
33 Lansdown Crescent
Cheltenham
Gloucestershire
GL50 2NG

Comments: 20th November 2024

As a Cheltenham Local who lives near the Prom, I support the planning proposals for 131, favoring the glass structure.

I think we should be supporting local businesses who provide jobs and entertainment for Cheltenham residents at this challenging time. Cheltenham is a fabulous place to live, it would be a shame if we discouraged businesses from investing in restoring the beautiful buildings around the town.

1 Llandudno Villas
Lypiatt Street
Cheltenham
Gloucestershire
GL50 2TZ

Comments: 9th December 2024

Prior to the huge investment made by Mr Dunkerton, these buildings were in a state of disrepair and neglect. If 131 is forced to close, what will become of these buildings then?

I am in support of both designs as this enables 131 to continue to operate, offering a great venue for residents and visitors alike, securing jobs and I feel the new designs are sympathetic to the buildings.

32 Imperial Square
Cheltenham
Gloucestershire
GL50 1QZ

Comments: 23rd November 2024

I object to this proposal most strongly and agree with everything the Civic Society has so eloquently written.

Page 119

I also object to the fact that at weekends, and especially when the racing is on, we hear a constant thump from the music of 131 from inside our house. This seems totally unreasonable.

I also feel that it is environmentally damaging to heat up a "glasshouse" during probably 8/9 months of the year.

131 was originally exceedingly well done and the gardens at the front were very pretty. These plans are not

17 The Pavilions
Sandford Road
Cheltenham
Gloucestershire
GL53 7AR

Comments: 11th November 2024

We have had to endure the "temporary" tentage in front of 131 for far too long, and I strongly oppose the newly proposed structure since it still obscures the beautiful facade of one of Cheltenhams finest Grade 2 listed buildings.

This building complements the area around Imperial Square and such an ancillary structure should not be allowed to compromise this impressive entrance into Cheltenham town.

If any consideration needs to be given to the business itself, it should be noted that the Hotel was operating previously with outside catering being facilitated by seating underneath umbrellas, which did not obscure the facade of the building and indeed helped to create a welcoming environment for all.

I strongly object to this planning application.

113 St Georges Road
Cheltenham
Gloucestershire
GL50 3ED

Comments: 8th November 2024

I would be equally happy to see these glazed structures as the pergola option. 131 is a great amenity and either of these options would be a great enhancement to the site. I am very much in favour!

12A Albert Place
Cheltenham
Gloucestershire
GL52 2HW

Comments: 21st November 2024

I wholeheartedly support the project as it will support local jobs and will revitalise the area.

Hailey View
Coates
G17 6jy

Comments: 24th November 2024

131

I write regarding the planning application for 131 Promenade Cheltenham

To begin with I think it's important to point out the positive impact 131 has had on Cheltenham. It attracts a wealthy clientele to the town which can only benefit other businesses and adds to Cheltenham's growing reputation as a foodie destination. It is also a major employer.

It clearly has brought a high level of service and a safe and beautiful place to eat and drink to the town and is constantly busy which alone shows how needed a space like 131 is. It brings the feel of a London club and cafe society which so many who move from the City miss.

The outside spaces are beautifully thought through and throughout the trials and tribulations of the pandemic - which are all too easy to forget now - 131 were creative in making space so that people could still enjoy an evening out.

I know there is a good deal of envy regarding the success of 131 but I think that's short term thinking. An establishment like 131 can only raise the bar in terms of how people think of Cheltenham and that's always positive for other businesses. People who stay at 13- shop in the vicinity too and try other nearby restaurants during their stay.

The owner's support of various other fairs and events in the town and the ongoing success of the Cider factory on the outskirts also continue to raise the reputation of the town.

I understand changes are required in the outside spaces and I have seen both sets of plans and I believe both would be beautiful additions. I favour the second of the two which I think would be a beautiful addition and only celebrate the architecture of the Promenade and the buildings it sits in front of. It has a certain Versailles/Georgian grandeur and to be honest I'm hugely impressed that the owners will spend so much to create something that will enhance that beautiful Promenade area.

I am never reticent to say when I think a building or addition in terms of conservatory or extension is an eye sore or detracts from beautiful architecture - but I commend these plans to you - especially the second of the two - and hope you will agree so that we might see this welcome addition in real life - so it might continue to draw people to Cheltenham and secure so much employment.

Town centres need to continue to evolve and offer interesting spaces to draw customers in - we see too many town centres dying through lack of energy, investment and original thought. I genuinely believe these plans represent a bright addition and commend them to you.

37 Montpellier Villas
Cheltenham
Gloucestershire
GL50 2XQ

Comments: 11th November 2024

I fully support the erection of the glazed structures , which will provide a location which does not affect traffic or noise also providing Cheltenham with a location full of vibrancy and class .

Looking at the plans it does not take anything from the regency buildings in fact in my opinion they bring them into the 21st century which is called PROGRESS !

36D The Broad Walk
Imperial Square
Cheltenham
Gloucestershire
GL50 1QG

Comments: 20th November 2024

Cheltenham Borough Council's relaxation of the rules relating to the installation of temporary structures was clearly the right thing to do, however, there was a limitation regarding the size of such structures in terms of footprint and height. Whilst every other business welcomed this help and complied, the Lucky Onion Group saw this as a business opportunity. They completely ignored these rules, not to survive but to gain an unfair advantage over other hospitality businesses in the area. They massively increased their number of covers, completely ignoring the spirit and intent of the amended rules seeing only an opportunity to increase profits. Their own figures show that, over the same period pre and post marquees, there was a huge increase in profits of 858%. This is not newly created revenue but displaced revenue. While others struggled, they pressed home their unfair advantage, taking an unjust share of the available hospitality custom.

Even after the relaxation of Covid rules they continued to treat the planning process with contempt, using delaying tactics to keep the illegal marquees and maintain their unfair advantage. This latest application is equally disrespectful of the planning process as it will require the LPA to ignore the rules rather than uphold them. This would result in significant harm to these highly important Grade 2 Star listed buildings and the Montpellier Conservation area.

The applicant would have us believe that 131 enhances Cheltenham's attraction and its "economic vitality". A clear attempt to gaslight the public and the Council. It is Cheltenham's Heritage and Culture that attracts visitors, its beautiful buildings, its Gardens, its Cultural events. This is what attracts visitors, and this is what enables 131 to be economically viable. Cheltenham's Heritage and Culture will be here long after the Lucky Onion Group are gone.

Permitting this development will rubber stamp their dubious behaviour and allow them to maintain this unfair, ill-gotten advantage over their competitors, who have complied with the rules.

It will also set an unacceptable precedent that will greatly harm Cheltenham's Heritage and appeal, having a long-term detrimental effect.

Much is made of the numbers of personnel employed at 131 but it is a fact that hospitality skills are in short supply and there is ample opportunity for alternative employment.

For the long term good of Cheltenham's Heritage Buildings and Settings these proposals must be rejected.

17 Goodrich Road
Cheltenham
Gloucestershire
GL52 5FT

Comments: 13th December 2024

131 is the hear of Cheltenham for friends to meet up and have a quality time. It brings a lot of visitors to our town.

78 Clegram Road
Gloucester
GL1 5QA


Comments: 21st November 2024

I fully support the 131 proposals. The design respects the historic buildings while enhancing Cheltenham's character. 131 is a vital venue, providing over 100 jobs and a mix of unique dining, nightlife, and cultural experiences. With many hospitality closures and empty premises, supporting projects like these are crucial. The prior investments to 131 has transformed these buildings, and losing 131 would be a major setback for Cheltenham.

CHIEF PLANNING OFFICER,
C.B.C.,

MUNICIPAL OFFICES,
PROMENADE,
CHELTENHAM, GLOS.

18 Imperial Square
Cheltenham
Glos. GL50 1QZ


20/11/2024

Dear Sir/Madam,

RE:- PLANNING APPLICATIONS

24/01762/FUL + 24/01763/FUL

My wife and I wish to make the strongest objection to the planning application 24/01762/FUL + 24/01763/FUL in respect of 125-127, 129-131 and 133 Promenade, Cheltenham, Glos.

These proposed structures would hugely damage and possibly destroy the frontal appearance and setting of these three magnificent, Grade 2*, period buildings located in the centre of Cheltenham, on the Promenade, in the iconic Imperial Square.

The tents these ⁵⁷Page 124 are intended to replace where erected as a completely TEMPORARY measure during the emergency restrictions of the Covid pandemic, to be removed immediately once the pandemic ended.

They have not been removed in spite of a number of orders by the planning authorities, and there are absolutely no grounds for a permanent replacement structure to be permitted in order that the three listed buildings and surroundings be restored to their original pre-Covid condition.

If a compromise position is required for economic reasons, the suggestion by Cheltenham Civic Society in its submission of 14th November 2024, to the South West of NO:- 133, in some form of elegant curved contemporary building facing Queen Circus, could be given consideration, thereby protecting the beautiful facades of the 3 properties facing Imperial Square.

Yours faithfully,




**40B THE BROADWALK
IMPERIAL SQUARE
CHELTENHAM GL50 1QG**

22 November 2024

BY HAND

The Planning Officer and Team
Cheltenham Borough Council
Municipal Offices
Promenade
Cheltenham GL50 9SA

Dear Planning Officer and Team

Planning Application - 24/01762/FUL

I object to the above Planning Application.

Cheltenham is well known as a Regency Town and this brings people to visit and to live here.

Therefore, these Regency buildings should be clearly visible with nothing in front of them.

Yours faithfully,



**40B THE BROADWALK
IMPERIAL SQUARE
CHELTENHAM GL50 1QG**

22 November 2024

BY HAND

The Planning Officer and Team
Cheltenham Borough Council
Municipal Offices
Promenade
Cheltenham GL50 9SA

Dear Planning Officer and Team

Planning Application - 24/01762/FUL

With reference to the above Planning Application, I wish to object to the proposal.

Number 131 Promenade is an important component of the Conservation Area within which it is situated.

This Regency building should be seen therefore, in its original form and not cluttered up with modern additions on its most important frontage.

Yours faithfully,

Cheltenham Borough Council
Development Management
The Municipal Offices
Promenade
Cheltenham
GL50 9SA

BPA 3041_03

19 November 2024

Representation in OBJECTION to planning application reference 24/01762/FUL for the Erection of metal-framed pergola structures within the front curtilages of Nos 125-127, 129-131 and 133 Promenade to provide external restaurant, dining and drinking facilities associated with 131 Promenade and existing hotel. Installation of PV panels to roofs of 125-127 and 133 Promenade and removal of existing conservatory to side of 133 Promenade.

Dear Lucy White

I have been instructed by [REDACTED] owners of No 117 Promenade, to review the above-mentioned application and consider whether they should submit any representation in regard to the development proposed. My client's property lies within proximity to the application site: No 117 Promenade forms part of the neighbouring terrace that lies immediately north-northeast of the application site.

Following a review of the application documents, I am of the opinion that the *metal-framed pergola structures within the front curtilages* is not acceptable in planning terms and have advised my clients to lodge a formal **objection**. I write on their behalf on the following grounds:

Page | 1

Legislation and policy pertaining to the historic environment directs decision-making to conserve and enhance the significance of heritage assets. This proposal will diminish the significance of the affected heritage assets for the following reasons:

The proposal will act to conceal/obscure the ground floor and basement level of the principal (most important) elevation of the Grade II* buildings;

It will erode the open space to the front of these important buildings which is a key element that makes a positive contribution to the setting of the building and character and appearance of the wider Central Conservation Area;

Will fail to reinforce the planned and spacious characteristics of the Central Conservation Area;

Shall interrupt the spacious character and intervisibility between important buildings within this planned group notably the Grade II* Queens Hotel;

The design has little architectural merit and will appear as an alien feature and be visually intrusive within the historic setting; and

Will adversely impact how the heritage assets are appreciated in their own right and as an important group.

The above findings are supported in a recent appeal decision reference APP/B1605/W/23/3314132 where the applicant sought to retain the existing unlawful marquees for a period of 2-years. This appeal upheld the decision of the Council to refuse. Many of the planning appeal matters are relevant to this proposal and as such, are material to the consideration of this current application. Further, the above echoes the concerns raised by the Cheltenham Civic Society in their comments on this application.

Paragraph 212 of the NPPF states “Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (which better reveal its significance) should be treated favourably.” Removal of the existing

Page | 2

conservatory to the side of 133 is welcomed. Should the applicant genuinely want to remove this structure then a separate application should be submitted for this single element. The removal of the conservatory would not outweigh the harm identified herein. The same applies to the alleged economic impact. The Inspector in the above-referenced appeal makes the following comments on this matter:

39. I agree with the Council that there is a lack of supporting evidence with regard to the precise financial implications of the marquees and the extent to which the businesses are dependent upon them. However, having regard to the significant number of tables located within the areas covered by marquees, I do not doubt that these areas generate a substantial income throughout the year, as they are essentially an extension of internal dining areas and bars, allowing for significantly more tables and more customers. This in turn will result in employment and a benefit to the local economy, in through diners going on to visit the nearby bars after a meal.

40. However, I would note that the issue is not that outdoor dining in itself is unacceptable in principle, the harm considered above is based around the number and form of marquees covering these spaces. There is no evidence before me that the appeal proposal is the only means of providing outdoor dining and indeed, I saw no similar mar structures at nearby restaurants and bars, which often included outdoor seating therefore attribute limited weight to the economic benefits described above [my own emphasis added].

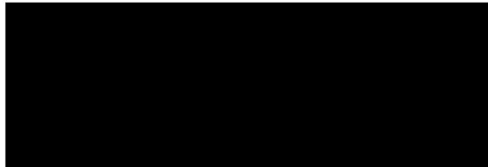
Only limited information is provided on the proposed solar (PV) panels. To enable proper consideration additional detailed information is required to assess the impact on heritage significance; the impact on building fabric; and structural loading. Again, should this element of the proposal be found acceptable in planning terms it would not outweigh the harm identified herein.

Planning ▪ Design ▪ Development

For the above reasons, the proposal is contrary to relevant legislation, development plan policy and national planning policy set out in the NPPF as well as guidance produced by Historic England and should be refused.

I note an application for a similar parallel proposal has been submitted under reference 24/01763/FUL. The difference is merely the design and appearance of the metal-frame of the pergola structures. Neither design approach is appropriate nor overcomes the concerns raised. My client will therefore be submitting **objections** to both.

Yours sincerely



Wendy Hopkins, MRTPI
Company Director

Cheltenham Borough Council
Development Management
The Municipal Offices
Promenade
Cheltenham
GL50 9SA

BPA 3041_03

19 November 2024

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Dear Lucy White

I have been instructed by [REDACTED] owners of No 117 Promenade, to review the above-mentioned application and consider whether they should submit any representation in regard to the development proposed. My client's property lies within proximity to the application site: No 117 Promenade forms part of the neighbouring terrace that lies immediately north-northeast of the application site.

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Page | 2

Planning ■ Design ■ Development

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Planning ■ Design ■ Development

For the above reasons, the proposal is contrary to relevant legislation, development plan policy and national planning policy set out in the NPPF as well as guidance produced by Historic England and should be refused.

I note an application for a similar parallel proposal has been submitted under reference 24/01763/FUL. The difference is merely the design and appearance of the metal-frame of the pergola structures. Neither design approach is appropriate nor overcomes the concerns raised. My client will therefore be submitting **objections** to both.

Yours sincerely



Wendy Hopkins, MRTPI
Company Director

The Planning Officer,
Cheltenham Borough Council
Promenade
Cheltenham

25 Timperley Way
Up Hatherley
Cheltenham
GL51 3RH

5th December 2024

Dear Sir/Madam,

RE: Objection to Applications 24/01762/FUL and 24/01763/FUL - Erection of glazed structures within the front curtilages of Nos 125-127, 129-131 and 133 Promenade

Further to the photographic document I have already submitted showing all the above buildings before the tents, I wish to raise an additional objection regarding the three mature London plane trees which stand at the front boundary of the buildings in question.

These mature plane trees are part of the original tree planting of the Upper Promenade and they significantly add to the long established and cherished character of the Promenade. The roots of the trees will roughly spread as far as the canopies. Thus established roots will be under the new buildings as they will be built very close to the trunks and under the canopies.

The proposed buildings cover virtually all the garden frontage and are the equivalent to several long orangeries. I understand that an orangery requires the same foundation strength as any typical building extension which would mean they would need to be at least a metre in depth. So even though they will be made of double glazed glass and steel, they will require substantial foundations.

Whilst this could be countered by hand digging all the foundations there is still a risk to the glass buildings from overhanging falling branches. This will be a continuous ongoing risk which may ultimately need to be dealt with by an application to fell the three trees. Even if this is not the current desire of the owner, insurers often have requirements about tree management close to property (especially commercial property) which could necessitate the removal of these trees, or the imposition of exclusion clauses or conditions, resulting in there being no public liability insurance cover. The plane trees are on Cheltenham Borough Council owned land, so any risk of tree damage to the new buildings or of injury to clients dining within, will probably need to be addressed and assessed by CBC, and would likely result in an even greater chance of the trees being removed due to the Council being very risk averse, and sensitive to potential financial claims from adjacent property owners and/or members of the public.

In a list of 26 'Trees influencing distance information for property insurers' produced by the Association of British Insurers (ABI), the Plane tree is 5th in the list of trees requiring the greatest distance from a building (22 metres). Although these plane trees and the historic buildings have been there for a very long time and have adjusted well to each other, adding such an extensive run of new buildings right under the canopies and very close to the trunks

of all three trees must threaten their continued survival. Further down the line, even if just one branch falls onto the glass roof, their removal on the grounds of safety is likely.

Tree roots need an equal blend of both oxygen and water in which to survive and plane trees have a high water demand. Covering all the front gardens of these buildings will impact on both these essential nutrients for these wonderful trees. Future desiccation of the ground from less water can cause long term heave. In addition falling leaves during the autumn, and the ball-like seeds which fall in the spring, will accumulate upon the glass roofs and would be a further nuisance, and whilst not sufficient grounds in themselves, could be an additional factor in any desire for their removal after construction.

Plane trees can live up to 400 years, so these plane trees still have plenty of life left and can continue to enhance the character of the Promenade for many years to come.

The three trees at immediate risk from this proposed development form part of a full line of majestic plane trees which now characterises Cheltenham's Upper Promenade.

I therefore submit an objection to this application on the grounds of the potential harm to, and future subsequent removal of the plane trees.

I attach a separate photo document showing the close proximity of the trees to the proposed new buildings.

Yours sincerely,

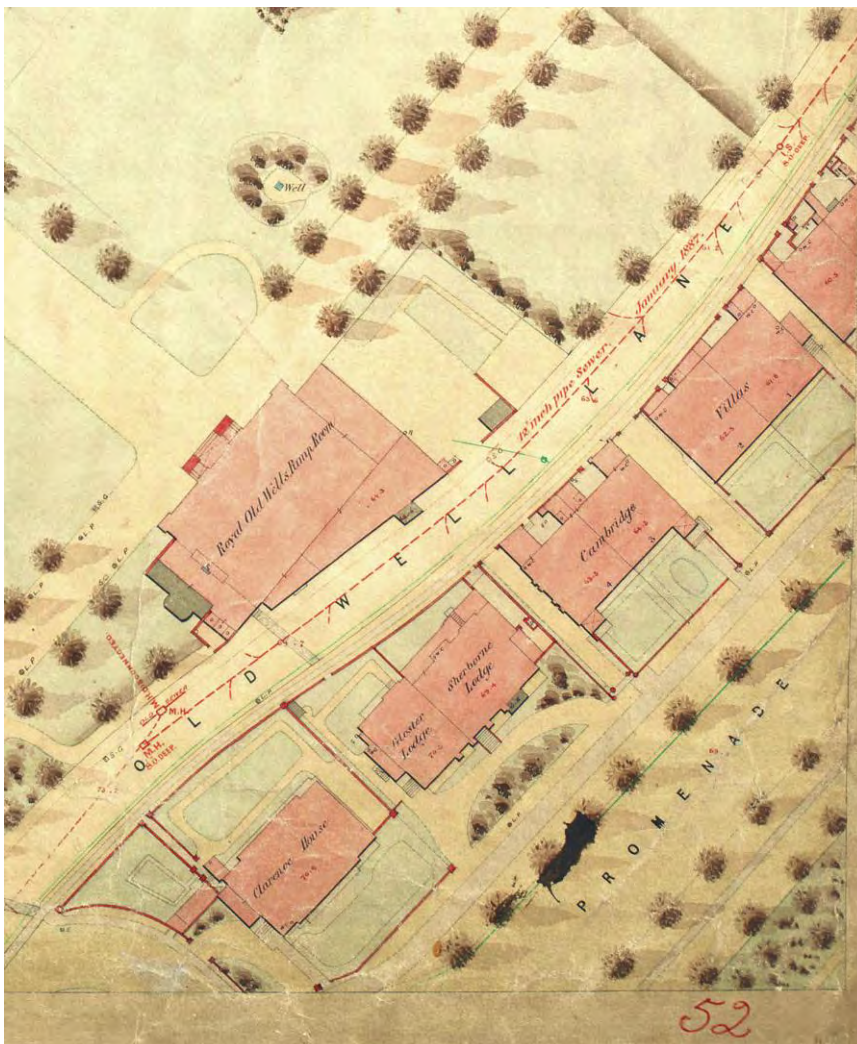
A solid black rectangular box used to redact the signature of the author.

Promenade Marquees : Visual Harm to the Regency Streetscape

Clarence House

Sherborne Lodge

Kings House



Upper Promenade on the 1855 Town Map

PROMENADE VISTAS













The two main motifs are used most successfully on Clarence House, 133 The Promenade











KINGS HOUSE



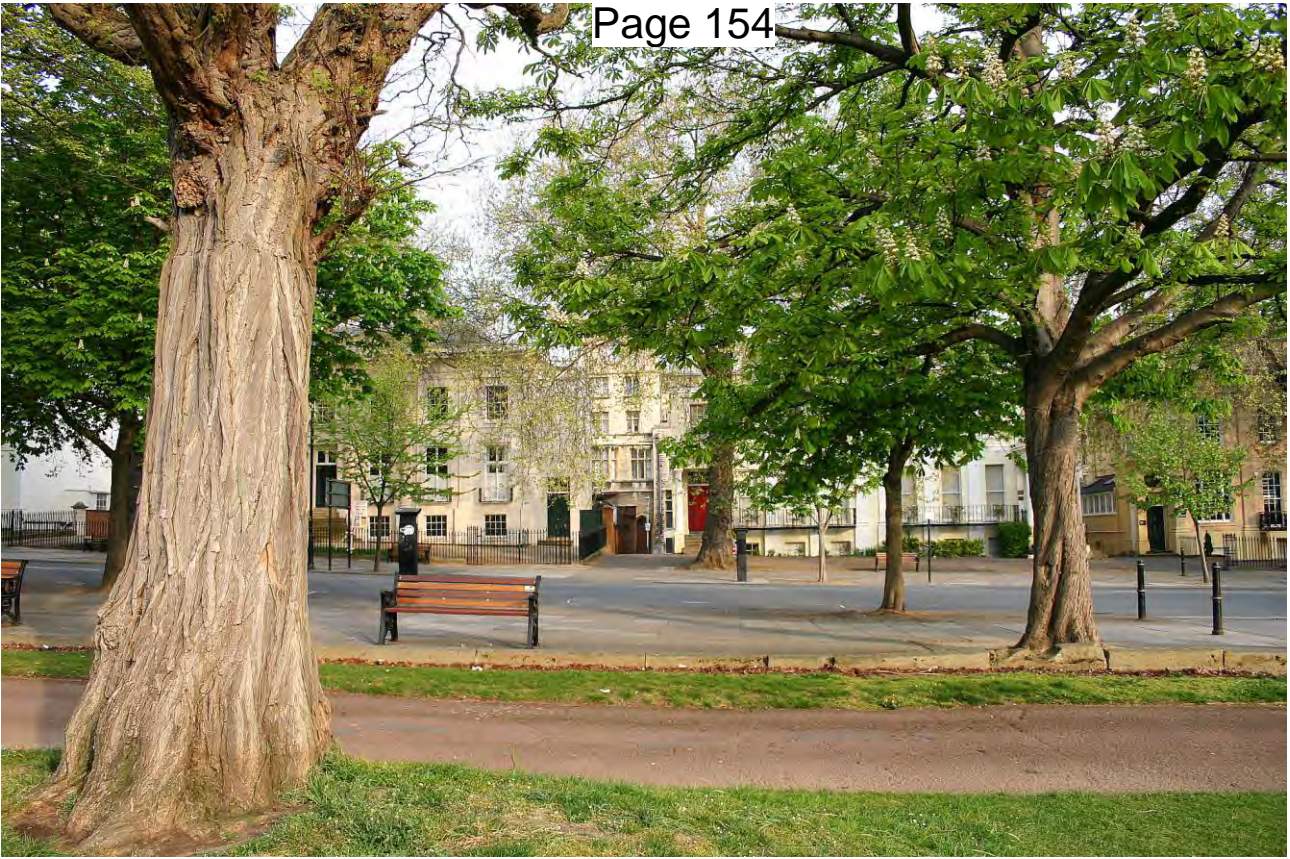












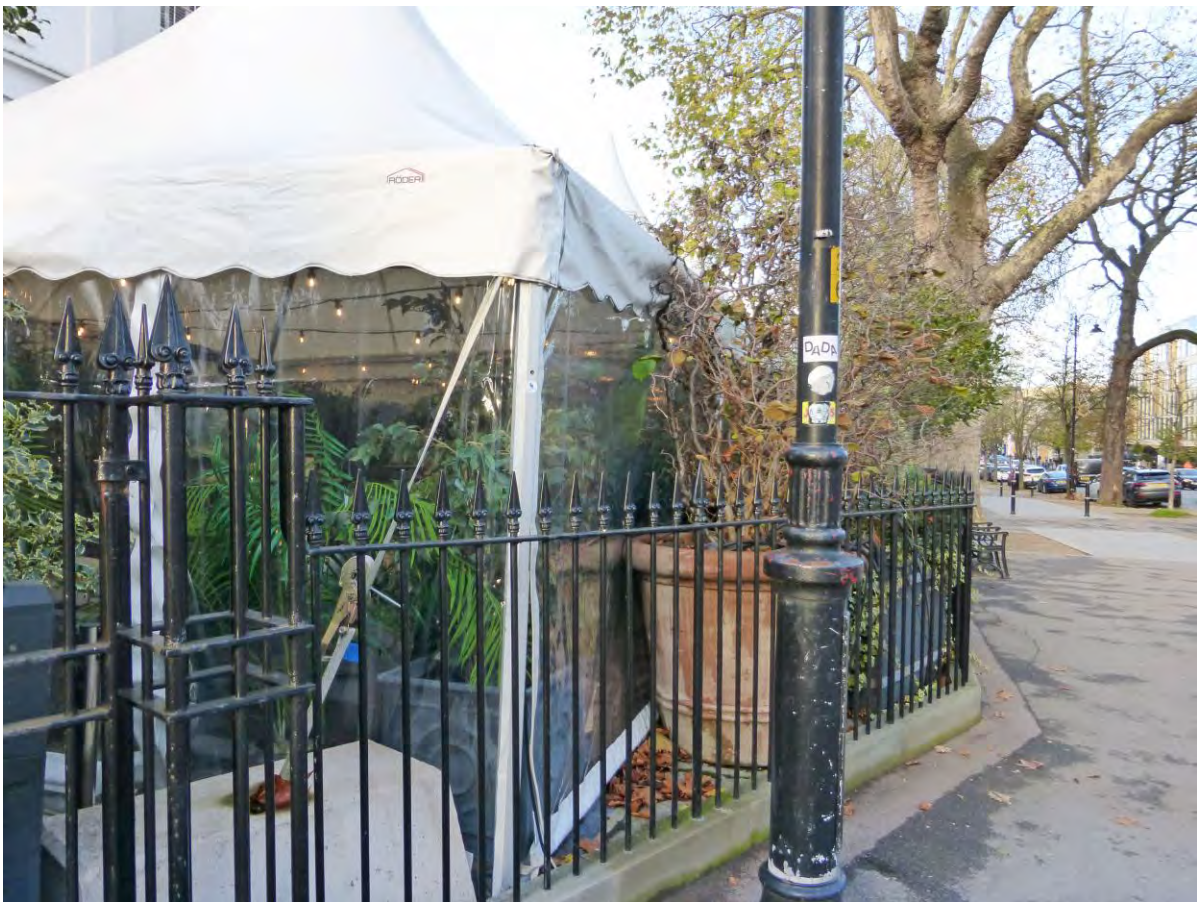






Clarence House









Sherborne Lodge









Kings House







PREVIOUS UMBRELLAS





PROMENADE PLANE TREES AFFECTED BY THE ABOVE APPLICATION



1

Looking north from outside the Queens Hotel the three London Plane trees can be seen which will all be in very close proximity to the proposed new buildings.



2

Looking south from outside Kings House another view of the three plane trees from the other direction.



3

The plane tree outside Clarence House, Promenade. The Tulip tree (far left) in the front garden was removed before the Lucky Onion development took place.



4

Another view of the plane tree on the perimeter of Clarence House.



5

The plane tree outside Clarence House in the foreground and on the right, the plane tree outside 129-131.



6

The plane tree at the boundary railings of 129-131 the Promenade, before the tents.



7

Another view of the plane tree outside 129-131 the Promenade. The fine fluted door pillasters are attractively echoed by the tall upright trunk of the plane tree.



8

The plane tree on the boundary of Kings House, Promenade, before the tents.



9

The plane tree on the boundary of Kings House after the tents.

APPLICATION NO: 24/01763/FUL	OFFICER: Mrs Lucy White
DATE REGISTERED: 8th November 2024	DATE OF EXPIRY : 3rd January 2025
WARD: Lansdown	PARISH:
APPLICANT:	The Lucky Onion LLP
LOCATION:	129 - 133 Promenade Cheltenham Gloucestershire
PROPOSAL:	Erection of metal-framed pergola structures within the front curtilages of Nos 125-127, 129-131 and 133 Promenade to provide external restaurant, dining and drinking facilities associated with 131 Promenade and existing hotel. Installation of PV panels to roofs of 125-127 and 133 Promenade and removal of existing conservatory to side of 133 Promenade..

REPRESENTATIONS

Number of contributors	135
Number of objections	30
Number of representations	0
Number of supporting	105

9 Burton Street
Cheltenham
Gloucestershire
GL50 3NE

Comments: 21st November 2024

NONE GIVEN

53 Pittville Lawn
Cheltenham
Gloucestershire
GL52 2BH

Comments: 28th November 2024

NONE GIVEN

36 Deykin Road
Lichfield
WS13 6PS

Comments: 17th December 2024

The restaurant at no. 131 has brought a great atmosphere and pleasing aesthetics to this part of town.

37 Marle Hill Road
Cheltenham
Gloucestershire
GL50 4LN

Comments: 12th November 2024

I'm very much in support of the proposed plans at No. 131 in Cheltenham. I believe this development will be of benefit to the local area and that the outdoor space is essential to keeping the welcoming atmosphere that makes No. 131 so popular, especially during festivals and races. The design is simple and compliments Cheltenham's regency architecture.

118 Brooklyn Gardens
Cheltenham
Gloucestershire
GL51 8LW

Comments: 8th November 2024

I believe no.131 should be granted permission to proceed with their project for a permanent terrace. Personally, I feel there really is no other place like no.131 in Cheltenham. All year round, it's the perfect place for any event/gathering. The people of Cheltenham and Gloucestershire need to stand together and support this outstanding venue, restaurant, bar with their proposal and help save the 100 plus jobs which could be lost of all the amazing staff that work so hard to keep no.131 as amazing as it is. I have stayed at no.131, dined, wined and even held my wedding event here, I would be so disappointed to see it crumble and loose out on this opportunity to grow.

39 LILAC WAY
CARTERTON
OX18 1JH

Comments: 11th November 2024

As a regular visitor to Cheltenham and No.131, I support the plans for a permanent, and architecturally considerate, structure. The design is very much in keeping with the area.

The use of No.131 terrace space has also provided a significant number of jobs to local people and helps to drive continuous footfall into the town.

***** has invested significant monies into businesses across Cheltenham providing opportunities of employment, and the council should be supporting this effort to provide a sympathetic solution - not blocking at every opportunity.

30
Dowling Drive
Pershore
WR10 3EF

Comments: 19th November 2024

I am in full support of the application to formally utilise the external space at 131 for year-round use. No 131, and the Gin & Juice bar in particular, is very much a beating heart in Cheltenham nightlife and draws visitors from not only Cheltenham, but surrounding villages, towns and cities to come into the town, spend money and support the local economy. As a regular patron, I do believe that without the additional space the venue would struggle to provide as many covers on a busy evening which, in turn, would damage both the ambience of the location and likely the success and viability of the business. It would be a crying shame to lose this venue as it has had a wonderfully positive impact on the community and has brought life back into the Promenade and Montpellier.

Both architectural solutions have merit, with the glazed structures referencing historical motifs (if slightly heavy), and the metal framed structures providing a much lighter touch which allows the existing buildings to shine. Neither would damage the setting in which they would sit. I plead the council to work with the applicant to find a mutually agreeable solution that allows 131 to continue to thrive whilst preserving the buildings in question.

9 Rose Court
Sapphire road
Cheltenham
GL527af

Comments: 19th November 2024

Fully support the erection of metal framed pergolas outside 131. This place attracts so much business and tourists from elsewhere. It's the best place Cheltenham has for adults wanting a few drinks or fabulous food. Always recommending to clients from Bristol and London and helps boost Cheltenhams economy.

Tythe Barn
Lower Dowdeswell
Cheltenham
GL54 4lx

Comments: 21st November 2024

A Thoughtful Design
I Am Supporting Progress!

This structure embodies minimal interference while creating a restaurant that would be an exceptional destination in all seasons. On a summer's day, the open roof would provide a perfect setting, and in winter, the closed roof would offer comfort and warmth. It is precisely the kind of space I would choose to visit.

The design is well-considered, non-intrusive, and executed with a light touch. If objections are based on concerns about obscuring the building, this proposal addresses that issue beautifully. Its simplicity and elegance enhance rather than detract from the original architecture.

It's important to approach this with a sense of realism. Dismissing or blocking thoughtful progress would be a missed opportunity for the area. This project demonstrates a respectful and forward-thinking approach to development-one that balances functionality, aesthetics, and the preservation of heritage.

Let us support progress that aligns with these values.

23 Lauriston Park
Cheltenham
Gloucestershire
GL50 2QL

Comments: 24th January 2025

The terrace outside No 131 has become a vibrant, busy, welcoming space to meet all year around thanks to the current tents. They are aesthetically pleasing, an entirely subjective judgment on the part of any commenter, of course, but the combination of the tents, the warm lighting and the decor, and the buzz of customers is very welcome. It allows the restaurant to serve more customers all year around, which means more jobs and more tax revenue. The location would be considerably less appealing with rain-soaked, empty tables throughout the year than it is with the warm and wonderful coverings.

Flat 5
37 Lansdown Crescent
Cheltenham
Gloucestershire
GL50 2NG

Comments: 8th November 2024

131 has shown real commitment to working with local suppliers and supporting other businesses in the area.

Approving this project would help them keep investing in Cheltenham and keep our town's unique, welcoming feel.

What a shame it would be if it became a car park like other buildings on the prom. I think it would be a great asset to the community, and I hope the council can see the value in backing it!

113 St Georges Road
Cheltenham
Gloucestershire
GL50 3ED

Comments: 8th November 2024

131 is an absolute asset to this town and I fully support the new structure which will enhance the look of the building and will be in keeping with the town.

65 Cleeve View Road
Cheltenham
Gloucestershire
GL52 5NJ

Comments: 19th November 2024

Fully supportive of this beautiful proposed structure. The tents were only temporary and this would be an outstanding permanent replacement for diners, drinkers, visitors, hotel guests our copious festival visitors throughout the year.

2 Suffolk Place
Cheltenham
Gloucestershire
GL50 2QG

Comments: 19th November 2024

No doubt in my mind this will only be a welcomed addition to the already brilliant 131. As someone who lives within walking distance of the venue, I fully support this idea which sounds like it will be visually very pleasing for the local area. In addition it sounds like it might provide a little more heat in the colder months in the terrace restaurant!

2 Banady Lane
Stoke Orchard
Cheltenham
GL52 7SJ

Comments: 19th November 2024

I'm strongly in support of either of the proposals. ***** is a huge ambassador for Cheltenham, and No. 131 has a very special place in the hearts of local people who have celebrated birthdays, anniversaries, weddings, and a myriad of other special occasions within the comfort of its beautiful terraces.

As a hotel and dining venue, No. 131 is world class in its appeal and serves to elevate our gorgeous town of Cheltenham. To lose this facility would be a huge blow to the town and you only have to look at how the rest of the high street is falling into decay and depravation to see why this proposal desperately needs approval.

Surely high quality and sympathetic restoration of these heritage buildings is the only way to create a sustainable and thriving economy for this town in the future.

51 Selkirk Street
Cheltenham
Gloucestershire
GL52 2HJ

Comments: 20th November 2024

I fully support the efforts by 131 to be able to use their space to enhance the town and create jobs for local people. The plans proposed are very aesthetically pleasing and only enhance the business which is a fantastic asset to the town.

9 the strand
Charlton
Pershore
wr10 3jz

Comments: 21st November 2024

I think this proposal is excellent-carefully considered and respectful of both the building and Cheltenham's unique character. A venue like 131 is crucial to the town's vibrancy, and it's important to ensure its continued success. Supporting the 100+ jobs it sustains is equally critical, and I fully back these plans to preserve and enhance such a valuable community asset.

2 Banady Lane
Cheltenham
GL527SJ

Comments: 19th November 2024

I would like to strongly support Julian's application for a permanent structure on the terraces of no 131. There simply isn't a more emotionally and financially invested ambassador for this town, and the proposed structures will only enhance what is an already beautiful building on Cheltenham's Promenade.

We simply have to find a way to ensure the town's heritage is both complemented and balanced with the needs of a modern, vibrant, and sustainable local community.

The proposals put forward clearly achieve these requirements in abundance, and will only enhance the town's aesthetics and appeal.

Flat 6
22 Swindon Road
Cheltenham
Gloucestershire
GL50 4AL

Comments: 20th November 2024

i wil like to see a change

106 Long Mynd Avenue
Up Hatherley
Cheltenham
Gloucestershire
GL51 3QS

Comments: 20th November 2024

I am excited to see the plans for the Terrace Restaurant moving forward and wholeheartedly support this project. The proposed design, featuring glass structures and metal pergolas, is a thoughtful addition that balances contemporary style with Cheltenham's unique character.

This development will bring valuable opportunities to the town, including job creation and increased tourism, while strengthening Cheltenham's reputation as a cultural and economic hub. I'm looking forward to seeing how this project enhances our community and contributes to its growth.

78 Clegram Road
Gloucester
GL1 5QA

Comments: 21st November 2024

I strongly support the proposals for 131. The design thoughtfully preserves the historic buildings while enriching Cheltenham's character. Importantly, the proposed structures do not obstruct the view of the buildings, allowing their historic features to remain clearly visible. 131 plays a crucial role in the town, offering over 100 jobs and a diverse range of dining. With the hospitality sector facing closures and increasing vacant premises, backing projects like these is essential, and losing this venue would be a significant loss for Cheltenham.

Cheltenham Racecourse
Evesham Road
Cheltenham
GL52 4SH

Comments: 26th November 2024

The restoration of the buildings to create No 131 as an outstanding hotel and restaurant has created a fantastic asset for Cheltenham.
As we face a difficult economic environment for the hospitality industry, I fully support this proposal which will enable No 131 to continue as a great asset to the community.

36 Mitchell Way
Cheltenham
GL54 2pL

Comments: 27th November 2024

I think these looks great and I'm a full support and important source of employment for many locals

Wayhill
Spelsbury Road
Charlbury
OX7 3LS

Comments: 27th November 2024

I am writing to provide my total approval of this application 24/01762/FUL and 24/01763/FUL for the development of the front of the no.131 premises.

These Grade 2 listed buildings are in themselves, incredibly beautiful and both of these applications will only go to further enhance this. Additionally, the installation of PV panels highlights the business' eco friendly credentials.

These buildings (and the business itself) are a central part to the town of Cheltenham providing not only a significant focal point but also attract business from all over the country (and internationally). I visit regularly to no.131, enjoy stunning food, relax in a beautiful setting and (quite often) spend more in surrounding businesses also - I am absolutely certain that no.131 provides fantastic employment opportunity and is for the greater good of supporting other local businesses in the town (where it is well documented that the high street and retail have really struggled over the preceding years). Any help to these sectors should be gratefully welcomed. A rejection to either of these applications will send a detrimentally strong signal to business owners in the local area.

It is for these reasons that no.131 should be given every opportunity to proceed with these applications and continue to be a shining light not only on the promenade but also in Cheltenham itself.

3 Greenacre Way, Bishops
Cleeve
Bishops Cleeve
CHELTENHAM
GL52 8SQ

Comments: 13th December 2024

Absolutely in support of this. 131 is a great venue for Cheltenham and this option is in keeping with the premium aesthetic of the hotel as well the local area. Also in support of saving the many local jobs associated with application.

2 Meadow View
Clehonger
Hereford
He2 9el

Comments: 29th November 2024

I fully support all the plans associated with application. It will add an additional attraction to the are, if constructed to a high standard, as I'm sure it will!

2 Court Cottages
Little Witcombe
Gloucestershire
GL3 4TU

Comments: 11th November 2024

A beautiful design that is sensitive to the buildings and would be a great addition to No. 131 and Cheltenham.

Municipal Offices
Cheltenham Borough Council
Promenade Cheltenham
Gloucestershire
GL50 9SA

Comments: 15th November 2024

It would seem to me that the Civic Society is correct in its views. This is not a business opportunity because it is not allowed. It is wrong of the applicant to pursue this course of action but then, who wouldn't when the potential revenue is so high. It's a great shame because, compared with activities like drilling for oil during a climate crisis, this business overreach is relatively minor, but there we are. On this basis, I recommend denying this request and perhaps pursuing the alternative proposed by the Civic Society.

15 Normal Terrace
Cheltenham
Gloucestershire
GL50 4AR

Comments: 14th November 2024

I like more thist One because ir shows more from the biulding and os safe for the costumers

The Haybarn
Manor Farm
Southam Lane
Cheltenham
GL52 3PB

Comments: 20th November 2024

Letter attached.

146 Sapphire road
Bishops Cleeve
Cheltenham
gl52 7yu

Comments: 20th November 2024

I fully support the proposed developments, the metal framed pergola structure being my first choice. ***** has already heavily invested in the restoration of these fine buildings which enhance the Promenade and Cheltenham town. This new structure will continue to provide a fine space for locals and visitors to enjoy for years to come.

4 The Park
Cheltenham
Gloucestershire
GL50 2SG

Comments: 9th November 2024

I support both schemes submitted. They add valuable outdoor leisure space to a much neglected street and has greatly improved the visual and social attraction of the town. That it also contributes to the visitor experience is equally beneficial.

Stoke Road
Bishops Cleeve
GL527YA

Comments: 27th November 2024

The proposed design of a metal pergola both stand out and compliments the regency buildings reflecting a town that itself has had to become a balance between tradition and modernity.

It is also important for a town to support the local workforce and employers

25 Timperley Way
Up Hatherley
Cheltenham
Gloucestershire
GL51 3RH

Comments: 9th December 2024

Letter attached

Comments: 6th December 2024

Letter attached.

46 Prestbury Road
Cheltenham
Gloucestershire
GL52 2DA

Comments: 20th January 2025

Dear Planning / Conservation Officers.

Ref nos.

24/01763/FUL

24/01762/FUL

I recently received an email from 131 requesting that I signed a petition supporting the above Applications.

However , I do not support these applications and send you my objections to these proposals.

The front area should be returned to how it was pre Covid ,when the area was laid out as a terrace with a few tables and canvas umbrellas set amongst the topiary garden. This was totally in keeping - enhancing and not interfering with the front aspect of these beautiful historic buildings which then could be viewed as a whole.

These Listed buildings situated on one side of Imperial Square, are prominent in the most prestigious part of the town centre and an important part of Regency Cheltenham.

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It would be of great detriment and not in keeping with the surroundings to turn the frontage over to mass catering.*

The intended 'temporary' tents and structures presently in situ, have been an eyesore spoiling this whole area.

The 131 Group were financially viable prior to expanding these seating areas to the front and have also since increased capacity in the rear and the basement.

What was introduced during the Pandemic, proved to be a huge financial success to the Group and they want to keep it - whatever, and without apparently any appreciation of the privilege and responsibility inherent in owning such a historic group of properties.

* On the evidence of other of their venues eg. at Dunkerton - the tented areas proliferate and the tables are so crammed together it's difficult to move between them.

This could be repeated at 125-127; 129-131, 133. Despite any conditions placed upon them by Planning, as they have proved themselves willing to flaunt any restrictions and continue undeterred.

In Brief

1. These buildings are in a prime location and must be protected.

2. These structures are not necessary - 131 already provides hotel, bars, bbq, and restaurants. It was successful before the introduction of all the extra covers outside.

3. These proposed structures, will still have a negative effect by restricting the view of the front of the Villas and spoiling the appearance of the street by not fitting in with the other buildings on the row.

4. The immediate surrounding area has abundance places to eat and drink

5. The massive extension of catering provision at the front of the Villas is detrimental to the appearance of each affected building, the Square and the image of Cheltenham as a whole.

6. 131 Group have proved they show no civic responsibility and if given consent may very well not comply to any stipulations.

Best wishes

46 Prestbury Road
Cheltenham
GL 52 2DA

36 Deacle Place
Evesham
WR11 3DE

Comments: 27th November 2024

I believe this design will enhance the townhouses and will provide a wonderful setting for visitors to Cheltenham and local people.

The Haybarn
Manor Farm
Southam Lane
Cheltenham
GL52 3PB

Comments: 9th December 2024

Letter attached.

7a hatherley lane
cheltenham
gl51 6pn

Comments: 27th November 2024

NONE GIVEN

1 Bass Court
Penrith Road
Cheltenham
Gloucestershire
GL51 3FL

Comments: 19th November 2024

Great addition to 131 to enable use of the outdoor space

Oakthorpe
Charlton Drive
Cheltenham
Gloucestershire
GL53 8ES

Comments: 27th November 2024

NONE GIVEN

Cambray Cottages
Vernon Place
Cheltenham
Gloucestershire
GL53 7HB

Comments: 19th November 2024

This would be a beautiful addition to No. 131 and would complement the building.

19 otters field
Greet
Cheltenham
GL54 5PN

Comments: 20th November 2024

I fully support either of the proposals for the new structures for outside No. 131 .

It would be a great addition to Cheltenham Town.

39 Lining wood
Mitcheldean
GI17 0EN

Comments: 20th November 2024

I would like to express my full support, for both of the proposals of outdoor structures to be added to the terrace of No 131.

The designs perfectly complement the Beautiful Regency buildings in Montpellier Cheltenham.

This development is a further asset to an already incredible hotel and venue.

Ganse House
Prospidnick
Helston Cornwall
TR13 0RY

Comments: 20th November 2024

I am support of this application as it enhances the current hotel and restaurant situated.

It would be hugely detrimental to deny this application and it would take so much away from the promenade and area.

It currently creates such a wonderful atmosphere and is in keeping with the current architecture and community.

106 London Road
Cheltenham
Gloucestershire
GL52 6HJ

Comments: 11th November 2024

The design is simply stunning! I wholeheartedly support the proposed erection of a pergola at 131 The Promenade in Cheltenham. This addition will not only enhance the aesthetic appeal of the area but also create a welcoming and vibrant atmosphere for both residents and visitors.. I believe this project will significantly contribute to the charm of the promenade and enrich our local environment. Let's embrace this opportunity for improvement!

4 Colesbourne Road
Cheltenham
Gloucestershire
GL51 6DL

Comments: 13th November 2024

Not only No131 but the town itself will only benefit from one of these structures. It is a huge investment from the owner. Why don't we all be grateful rather than feeling jealous of others' success and business ideas...?

8 The Firs
Swindon Village
Cheltenham
Gloucestershire
GL51 9RU

Comments: 13th December 2024

This would be a fantastic opportunity to continue the excellent facilities provided in this area maintaining an up market economy and encouraging continued growth to Cheltenham Town centre.

This application is important for the community and future workforce.

A logical planning application considering you keep allowing pressure greenbelt to be built on

Newholme
Upper Bath Street
Cheltenham
Gloucestershire
GL50 2BD

Comments: 18th November 2024

I appreciate both proposals, but I prefer the black metal structure. While I understand the concerns, I believe the proposed design will not detract from the Grade 2 listed buildings. In fact, it will enhance their beauty by creating a striking, complementary space. No. 131 is not just valuable for the number of jobs it creates; the restaurant is an important part of the community, hosting special occasions and drawing locals who return time and again. It also serves as a venue for private parties and corporate events, making it a central hub in Cheltenham. Let's not forget, the hotel also brings business to other local businesses, providing vital support to the wider town economy.

8 Welch Road
Cheltenham
Gloucestershire
GL51 0DZ

Comments: 27th November 2024

NONE GIVEN

45 Rynal Place
Evesham
WR11 4PY

Comments: 27th November 2024

If we want Cheltenham to continue to progress and thrive then I think it imperative that an application such as this which is considered and conscious to the existing buildings is approved.

103 Linden Avenue
Prestbury
Cheltenham
Gloucestershire
GL52 3DT

Comments: 14th November 2024

I am in full support of both designs. My personal favourite is the glass structure but the pergola is equally as welcome.

131 attracts people to Cheltenham, that's why you see comments from far and wide in support!

I didn't see the Cheltenham Civic Society and the associated objecting "gammons" shouting and taking action when these buildings were fronted by an overloaded car park, before falling into disrepair. Indeed, looking at Social Media, the objectors all fit a particular demographic in terms of age and ethnicity, which is no longer reflective of the multicultural and forward-thinking demographic of Cheltenham residents in 2024.

The pergola will add a contemporary look to the traditional building and 131 will maintain and give love to the stonework that was previously neglected by all. We can have a building and business that adds to Cheltenham and attracts visitors. You only have to look at the surrounding businesses to see that 131 has helped turn this area into an attractive and prosperous part of town. Let's continue growth, let's create jobs, and let's celebrate what is great about our town!

It's time for Cheltenham to be progressive and challenge those who want us to stay in the past for the sake of it. This design gives a perfect combination of the new and the old. Let's get it approved.

92 Bath Road
Cheltenham
Gloucestershire
GL53 7JT

Comments: 20th November 2024

I am writing to formally object to the proposed development at 131 Promenade on the following grounds:

1. Impact on Heritage and Listed Buildings

The proposed development would significantly disrupt the historic character and integrity of 125 - 133 Promenade, which forms part of a row of listed buildings. This development risks altering the visual appeal, heritage value, and architectural cohesion of the area. It would also adversely impact the other nearby listed buildings and the ambiance of Imperial Gardens. The proposed design is not in keeping with the character of these important buildings and would detract from the historical continuity that is central to this area.

2. Inconsistency with Existing Build Line

The proposed development appears to extend beyond the established build line of other properties in this section of The Promenade. This inconsistency disrupts the visual symmetry and uniformity that contributes to the distinctiveness and appeal of the Promenade area. The build line is a key aspect of the streetscape, and maintaining it is essential for preserving the historical context and planned layout of the area. Allowing this development would set a precedent for future applications in Cheltenham and would open the floodgates for similar applications elsewhere in the town.

3. Detriment to Local Trade and Businesses

Local business owners who have bought properties or established businesses in this area did so with a reasonable expectation that their operations would not face competition from a large commercial space set directly outside a listed building. When

the property at 125 - 133 Promenade was purchased it lacked such external facilities and Lucky Onion would have been fully aware of this.

The temporary tents and structures introduced during COVID-19 were necessary for public health and safety and allowed the area to maintain some level of economic activity under exceptional circumstances. However, these structures and the associated jobs were understood to be temporary measures. The presumption that these temporary facilities should now become permanent disrupts the pre-existing business ecosystem that was well-balanced prior to the pandemic.

4. Employment Considerations

Job creation for the proposed development should not be a primary consideration, as other local hospitality businesses are fully capable of employing staff as their trade resumes to pre-pandemic levels. Retaining the historic integrity of the area, and supporting the long-standing businesses within it, will lead to sustainable employment growth across the hospitality sector as demand recovers.

In conclusion, the proposed development is not appropriate for this historic and culturally significant location, as it would lead to a detrimental impact on listed buildings, disrupt the established build line, and negatively affect the local character and businesses in the area. For these reasons, I urge the planning authority to reject the proposal to protect the integrity and heritage of 125 - 133 Promenade and its surrounding context.

Thank you for considering this objection.

Shipton Sollars Manor
Cheltenham
GL544HU

Comments: 12th November 2024

I only came to Cheltenham in 2014 for the first time and loved going to 131. I lived abroad and 131 had an elegance that was contemporary British, urban but set perfectly in this elegant Regency Spa town. I stayed several times in the hotel. Since then it has slipped. They remodeled the inside, which can't even be used now by the hotel guests. One is expected to eat breakfast in the tent. (No elegance left in a tent, it is pure trailer mentality, which does not fit the town!)The inside has been turned into a monstrous nightclub ambiance with cheap clunky furniture and is not even open every day. To say they need the outdoor area is a lame excuse. They have enough indoor space and should use that.

As an architect and coming from an urban planning background, I strongly object to the structures in front of 131. Not only do they ruin the beautiful Regency architecture of the buildings and the Promenade (the tents are worse, I agree) but they are also not environmentally friendly either. A glass structure is creating too much heat loss. 131 should use their 'House' or the inside of their Hotel for their restaurant. To threaten that jobs would be lost is pure bullying and the Borough Council should not be fooled and should see the whole picture. Go inside 131 and their adjacent 'House' and you see that there is plenty of unused space inside that can be used for catering and restaurant purposes which will not destroy the elegant Promenade and will be much more sustainable. Just think what these structures will look like in 10 years. How will they maintain a clean look? Speaking of clean, surely from a health and safety point of view,

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carrying food a long distance across open spaces where rodents can have easy access is also a concern.

Therefore I strongly object to any structure in front of 131 and ask them to look at what they have and use that properly. Letting them eat into the public space is a slippery slope and soon everyone will apply for structures in front of their buildings for profit reasons and it will ruin the elegance and uniqueness of Cheltenham.

95 Painswick Road
Cheltenham
Gloucestershire
GL50 2EX

Comments: 2nd December 2024

I think it ruins the view.

18 Imperial Square
Cheltenham
Gloucestershire
GL50 1QZ

Comments: 21st November 2024

Letter attached.

22 Glencairn Court
Lansdown Road
Cheltenham
Gloucestershire
GL50 2NB

Comments: 23rd January 2025

No. 131 provides vital jobs for many local people and has brought life back to Cheltenham. It is a fabulous place to eat and drink with family, friends and colleagues and it would be such a loss to lose this space. Regardless of your thoughts on ***** himself, don't punish the many people he employs and who enjoy his establishments. He has renovated those buildings and without him, they would be in a much worse state.

26 Hopwood Grove
Cheltenham
Gloucestershire
GL52 6BX

Comments: 19th November 2024

This project has my full support. I believe they have created a very interesting project for the city of Cheltenham and also for the workers of Hotel 131.

10 Belworth Court
Belworth Drive
Cheltenham
Gloucestershire
GL51 6HG

Comments: 27th November 2024

NONE GIVEN

1 Sycamore Lodge
69 The Park
Cheltenham
Gloucestershire
GL50 2RU

Comments: 28th November 2024

This design complements the style of architecture already in existence in Cheltenham.

This would therefore be sensitive to that already in place but allow for growth which is surely what the town is aiming for.

2 Hatherley Street
Cheltenham
Gloucestershire
GL50 2TU

Comments: 18th November 2024

I strongly object to this application. The existing tents were allowed as part of the support package for hospitality businesses during Covid. They should have been removed years ago.

The buildings are amongst the finest in Cheltenham, listed Grade2*. The proposed glass sheds will obscure their frontage and completely spoil their appearance. The applicant's drawings, showing empty, comparatively transparent sheds are completely misleading - in reality they will be full of furniture, serving stations and people. This would spoil the buildings and reduce the attraction of Cheltenham to visitors by spoiling its finest square.

The application should be rejected.

5 Mowberry Close
Longlevens
Gloucester
GL2 0EN

Comments: 27th November 2024

I'm fully in support for these new plans to be implemented at No. 131 The Promenade. The design looks great and blends seamlessly with the surrounding area. It would be a great to keep this business within the neighborhood. I believe it will help liven up the area and attract more visitors, benefiting local businesses. Overall, it's a wonderful development, and I'm eager to see the positive impact it will have on the community!

41 The Broad Walk
Imperial Square
Cheltenham
Gloucestershire
GL50 1QG

Comments: 25th November 2024

Along with my wife I object to Proposals 24/01762/FUL and 24/01763/FUL because of the following reasons.

Permitting either of these proposals would be condoning unfair business practices and continue to disadvantage other local hospitality businesses.

They will both create significant harm to the setting and buildings and will also set an unacceptable precedent that will have a long-term detrimental effect on Cheltenham's Heritage Buildings and the Central Conservation Area.

Homes in Imperial Square have to abide by a strict code - ie NO DOUBLE GLAZING as an example.

The Civic Society have explained their objections more eloquently.

Unit 60
The Runnings
Cheltenham
GL51 9NW

Comments: 27th November 2024

We need to keep this beautiful hotel and 131 industry alive!

I think the plans look stunning but the lighter construction feels a good addition while also a nice match of traditional + contemporary design.

The hotel is a wonderful thing for the town and we I fully support the plans to keep this going and the committed future thinking of Mr Dunkerton. Onwards!

Flat 17
Waterloo Street
Cheltenham
GL51 9BY

Comments: 27th November 2024

NONE GIVEN

28 Meadow Brown Road
Coombe Hill
GL19 4FA

Comments: 27th November 2024

It is essential that an application is approved for the safety of jobs at No. 131 and we must remember the other businesses which are supported by the running of No. 131.

Longville
Pittville Circus Road
Cheltenham
Gloucestershire
GL52 2PZ

Comments: 9th November 2024

Great restaurant, should be preserved.

Comments: 9th November 2024

I support the appeal. The restaurant plays big role in Cheltenham, supporting local businesses and has excellent staff who are mostly from Cheltenham. It's a great local business that should be preserved.

Andante
18 Queens Road
Cheltenham
Gloucestershire
GL50 2LS

Comments: 15th November 2024

I object to the proposals for permanent structures to replace the tents outside 131.

My reasons are:

1. it is illogical to be considering a replacement for the tents which in themselves have been judged illegal (via national planning processes) as they significantly and negatively impact the appearance of Grade 2 listed buildings in a Conservation Area. Surely CBC should not even think about overturning these judgements and establish a dangerous precedent. What would the implications be for other heritage buildings in the town? Either

we have planning law or we don't and we shouldn't make exceptions for influential individuals.

2. Any proposal to consider expanding the square footage and capacity of 131 should be looked at as a fresh addition to the building as it was before the tents were there.

3. I'm sympathetic to the idea of having/expanding attractive outdoor dining space and I acknowledge the popularity of 131 and the economics it brings to the town . However, a large structure on the front of the building is not the answer. This area could instead provide an open outdoor eating option with tables and umbrellas and, in addition, the end of the building that faces up towards Montpellier could be used for a new, low level permanent structure. It seems to me that these two ideas, in combination, would provide increased dining capacity and enable a good number of the current serving staff to keep their jobs.

2 Courtrai
Lansdown Road
Cheltenham
Gloucestershire
GL51 7AF

Comments: 20th November 2024

I am thrilled to see the plans for the Terrace Restaurant progressing and am fully supportive of this vision. As someone who lives and works in Cheltenham, I believe this project will significantly contribute to the town's cultural and economic growth. The design's focus on integrating modern structures like glass features and metal pergolas into the local landscape is both innovative and respectful of our town's character.

This initiative promises to attract more visitors, create job opportunities, and enhance Cheltenham's reputation as a cultural hub. I am excited about the positive impact this will have on our community and look forward to seeing the Terrace Restaurant become a reality.

Long Barn
Aldsworth
Cheltenham
GL54 3QY

Comments: 10th November 2024

131 and the other dunkertons businesses are an asset to the town. The businesses not only employ many local people but also they have worked hard to enhance the areas they occupy.

This application further provides not only an aesthetically pleasing solution, but also continues to secure important employment. It enhances and compliments the area and should be permitted.

18 Bennington Street
Cheltenham
Gloucestershire
GL50 4ED

Comments: 27th November 2024

No. 131 is a great place for local people to socialise, relax, stay, eat and dine. The proposals are clearly well thought-out and would enhance what is already in place.

I think it is a must, that the application is approved so the hospitality provided at No. 131 can continue to be accommodated and thrive.

36C The Broad Walk
Imperial Square
Cheltenham
Gloucestershire
GL50 1QG

Comments: 28th November 2024

The reasons for my objection are:

- 1) this is a listed building. It is the architecture that draws visitors to Cheltenham not 131
- 2) 131 have never complied with planning rules. To then permit this application would condone their behaviour.
- 3) If planning is passed, this sets a precedent for other similar applications to listed buildings which would detract from Cheltenham's attractions
- 4) The noise can be unacceptable this proposed plan would increase noise levels. This would not only impact on residents in the Square, it would also detract from other businesses located here.
- 5) 131 have ample space at the rear of their buildings that could be utilised which would not detract on the beauty of the buildings.

10 College Road
Cheltenham
Gloucestershire
GL53 7HX

Comments: 12th November 2024

I object to both designs proposed. The 131 buildings dominate the main entrance into Cheltenham. The buildings are beautiful and should not be hidden by modern day structures. The tents have already ruined the buildings for the last 3 years or so even though they should have been taken down over a year ago. It's amazing what one can get away with if one has loads of money. The fact that '100 jobs will be lost' is fanciful to

say the least and even if a few jobs are 'lost' then a quick look at the Indeed recruitment website will show that there are plenty of hospitality vacancies in our town. The town has to protect its architectural gems and these proposals do nothing to enhance the buildings and I've not even started on the noise which emanates from the building as a whole. These proposals are merely to enhance the hotel's profit and loss account.

45 Rynal Place
Evesham
WR11 4PY

Comments: 27th November 2024

I think this a considered design which causes no harm to the building or the surroundings. I fully support the application.

Hazyview 2st Aidans Row,
School Road,
Aston Somerville
WR12 7AS

Comments: 13th November 2024

I fully support the hotel planning application submitted. This development will enhance the local area by revitalizing a neglected site, adding much-needed accommodations, and improving the overall aesthetic appeal of the town. The project promises to attract visitors, support local businesses, and contribute to the town's reputation as a vibrant and welcoming destination. The added amenities will also benefit residents, creating a positive social and economic impact on the community.

10 Devonshire Street
Cheltenham
Gloucestershire
GL50 3LS

Comments: 20th November 2024

I am delighted to support the proposal for the metal pergolas as part of the Terrace Restaurant plans. This stylish and functional design element will add character to the space while creating a welcoming atmosphere for visitors and locals alike.

The pergolas offer both practicality and aesthetic appeal, blending seamlessly with the environment and enhancing Cheltenham's modern identity. Projects like this contribute to the town's growth, boosting local employment and reinforcing its reputation as a vibrant cultural and social hub.

8 Sandford Court
Humphris Place
Cheltenham
Gloucestershire
GL53 7FA

Comments: 20th November 2024

Fully support! We need to support the hospitality industry in ever increasingly difficult times

22 Wessex Road
Taunton, Somerset
TA1 4RH

Comments: 20th November 2024

I fully support this magnificent vision to create an outdoor/indoor feel to Cheltenham's much loved 131, enhancing the beauty of this grand regency architecture and surroundings.

I am not a local to Cheltenham and this may be more important to those who live nearby however, this change also affects those who travel in, who visit and stay in Cheltenham and who treasure its bustling town vibe during day and into the night.

I absolutely love Cheltenham and come here regularly after previously living here. I bring all my friends and family to 131 as the atmosphere had always been relaxed and friendly with a great buzz. It really lends itself to great first impressions, all leaving impressed and excited to explore more of Montpellier's beautiful surroundings and architecture.

Initially, I didn't realise the tents were temporary and didn't mind them as it definitely attracts that alfresco dining experience. It felt inviting and warm. To my surprise, I was delighted to hear that there were 2 propositions to choose from that could be made permanent. The sketches really help to portray and aid the overall vision and I'm excited and hope that 1 of them is considered. I particularly love the iron structure as it frames the white buildings beautifully, which I believe are still the primary focus.

I fully believe that this is a perfect example for enticing recreation, adding value to Cheltenham's culture and tourism and most importantly, keeping the jobs that may be at risk if planning does not go through for this.

I hope the people of Cheltenham, surrounding areas and those who travel from afar are in favour for this. It's going to be incredible.

Martello House
Swindon Lane
Cheltenham
Gloucestershire
GL50 4PA

Comments: 16th November 2024

The first thing that we must all appreciate, is that ***** only proceeds with new projects that are in keeping with Cheltenham's rich heritage. The second thing to understand is that prior to ***** spending a fortune on the original buildings they were in a state of total disrepair and unfit for purpose. Since acquiring them, he has restored them to their former glory. The tents were just a mere bi-product of the Covid 19 restrictions which have allowed us all the benefit of being able to dine and enjoy our beautiful promenade and view across to Imperial gardens.

The new Metal frame Pergola Parisian style, would be a fantastic addition and clearly shows that consideration has been given to demonstrate the difference between old and new. This will be a further upgrade to the promenade and give all of us that wonderful continental indoor/outdoor experience. We must keep businesses alive and thriving within Cheltenham or we will fall behind the curve. Kind regards *****

29 Buckholt Way
Brockworth
GL3 4RH

Comments: 11th November 2024

131 is an important landmark in Cheltenham and the outside space is an essential part of it's charm and appeal to locals and attracting visitors to the area. The pergola is very charming and elegant solution to the marques. It has my full support.

9 Somme Road
Cheltenham
Gloucestershire
GL52 5LJ

Comments: 8th November 2024

Stop wasting tax payers money on objections alongside the Civic Society and put the funds into much other needed resources. The plans are in line with regency Cheltenham. If it doesn't go ahead you are responsible for 100 people losing their livelihood. You would not find a buyer for such a prestigious building so allow people with a passion to see it through and to maintain the wonderful building. There is no one else in Cheltenham with the funds so allow them to preserve a historical part of the town.

80 Carrant Road
Tewkesbury
GL20 8AD

Comments: 19th November 2024

I Fully support the addition of this structure to the current property.

Kensington House
33 Imperial Square
Cheltenham
Gloucestershire
GL50 1QZ

Comments: 22nd November 2024

I live in Imperial Square and object to the proposals for the changes to 131.

Before the tents were erected for covid, the building behind were beautiful and fitted in with Square. This proposal will hide the facade of the building which I do not support.

Our house is also a listed building, I am not able to even install double glazing, or make any changes to the facade of the house. Any additions to the front of my property would be prohibited in order to preserve the look and historical importance of the building. I do not understand why 131 should have different rules applied.

I have read the economic argument and if they do want a covered area extension, there is no reason why they could not utilize the area at the back of buildings to expand. However, they want customers to be able to look at the gardens, the houses and view outside. However, their extension at the front would not provide us with the same beautiful view, we would be looking at the proposed extension.

In addition, there are plenty of restuarants, bars and hospitality venues looking for staff and the people employed at 131 would be able to easily find alternative employment within Cheltenham and the surrounding area.

Overall, it seems unfair that 131 is seeking special arrangements which others on Imperial Square are no afforded. They have broken the rules by not removing the tents when asked and are not attempting to circumvent the rules again.

Shaftesbury Hall Student
Accommodation
Clarke Way
Cheltenham
Gloucestershire
GL50 4AX

Comments: 22nd November 2024

I believe its a great design and enhance the buildings.

63 Snowdon Gardens
Churchdown
GL3 1JL

Comments: 20th November 2024

I support the proposal for 131 as it provides job for the local comunity.

14 Albert Street
Cheltenham
Gloucestershire
GL50 4HS

Comments: 27th November 2024

NONE GIVEN

11 Marlstone Drive, Churchdown
Gloucester
GL3 2BB

Comments: 27th November 2024

I am in full support of both plans, they clearly do not obstruct the buildings and are in keeping. They in fact show the buildings off perfectly!

The importance of saving over 100 jobs for local people cannot be understated also.

I urge cheltenham borough council to approve these plans and prevent no.131 from lying empty and derelict like it was before it was No.131, an essential part of cheltenham's life and cultural scene!

7 Siskin Drive
Cheltenham
Gloucestershire
GL51 0WW

Comments: 19th November 2024

The plans for the permanent structure outside 131 Promenade are a very exciting and a long awaited update from the temporary tents. It's a great opportunity to enhance the restaurant and the surrounding buildings, adding to the charm of the area, and keeping many jobs. Such a project underscores Cheltenham's commitment to blending heritage with innovation, ensuring the Promenade remains a premier destination for locals and visitors alike.

It's sure to attract more people to the area and make Cheltenham an even more special place to come.

I personally prefer the metal structure but either design will look fantastic along the promenade.

322 London Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6YJ

Comments: 13th December 2024

I support this application. The design is in keeping with the railings and ironwork in Imperial Gardens .Outdoor dining at The Queens Hotel and 131 helps keep this area economically viable/

63 Snowdon Gardens
Churchdown
GL3 1JL

Comments: 20th November 2024

Like support this please

55 Hales Road
Cheltenham
Gloucestershire
GL52 6SL

Comments: 9th January 2025

I definitely support this application. The design is in keeping with the smartest areas of central Cheltenham and the venue at 131 provides Cheltonians and visitors alike with a high quality dining experience. If we want to protect employment and attract more tourists into Cheltenham the decision to proceed with this planning application is surely a no-brainer.

Hill barn
Sudeley Road
Winchcombe
GL54 5jb

Comments: 27th November 2024

I think this is a very good idea and will look very nice with in the area. along with the continuation for T&L

5 Colletts Gardens
Broadway
WR12 7AX

Comments: 3rd December 2024

In favour of creating more space and supporting local businesses thrive.

19 Boundary Close
SWINDON
Sn27tf

Comments: 18th November 2024

I have visited 131 numerous times over the past 4 years. The marquee, although not attractive offers a lovely view over the promenade, I couldn't imagine not dining on the terrace. As far as the proposed plans are concerned I like both designs, as they compliment the Georgian background retrospectively. It would be an enormous shame to loose the spark that the Terrence provides.

3 Mimosa Avenue
Up Hatherley
Cheltenham
Gloucestershire
GL51 3WB

Comments: 24th January 2025

I object to this proposal for the following reasons:

1. The proposed structure looks like a conservatory and is not in keeping with the style of that area.
2. It is a listed building and other residents of the area have to abide by strict regulations about what is allowed, why should 131 be any different?
3. This structure will have very poor thermal insulation and so will be very inefficient to heat. At a time when we will soon not be allowed gas boilers or petrol cars, for example, it is irresponsible to create such an energy wasteful structure.

4. With regard to employment, there is no shortage of restaurants in Cheltenham and most of them probably struggle to recruit enough staff.

Court Farm
Aylton
Ledbury
HR8 2RQ

Comments: 27th November 2024

Why is this even up for debate - 131 is a fantastic venue and the plans that have been put forward will help it to continue to thrive as one of the best venues in Cheltenham. The plans are completely reasonable and will allow 131 to continue to boost the local wider economy by hosting some of the more affluent wider community.

Furthermore. If these plans aren't accepted, the alternative is far more grim - an empty, derelict group of houses in the heart of Cheltenham. Nobody is capable of taking these buildings on so without the approval of these plans Cheltenham will take a massive hit.

Stone House
34 Bell Lane, Poulton
Cirencester
GL7 5JF

Comments: 12th November 2024

131 is a great asset to Cheltenham and a destination for so many. I have often used the current 131 restaurant and I believe having a dining facility outside of the actual building adds to the vibrancy of the area. 131 is an asset to Cheltenham and I fully support the new structure. It is fantastic that there are people with passion and vision that wish to continue to improve and invest in Cheltenham.

May cottage
Stanleigh Trrace
Maisemore, Tewkesbury
GL2 8HA

Comments: 21st November 2024

Without hesitation, jobs and the economy should drive forward any decision regarding the future of the building. Save the restaurant and all its employees by passing the application... no brainer !!!

Garden Flat
24 Warden Hill Road
Cheltenham
Gloucestershire
GL51 3AW

Comments: 21st November 2024

As a long-term Cheltenham resident, I've known the buildings in question as being of great significance in relation to Cheltenham's premier Square. I regretted the installation of marquees in front of them during COVID, but accepted them as a temporary expedient. They should by now have been removed, and the buildings' full gracious frontages once more revealed. The application if granted will result in permanent substantial damage to the setting and appearance of the three Grade II* buildings. It will also change for the long term the view of the Promenade as you approach from Montpellier.

17 Brosnan Drive
Cheltenham
Gloucestershire
GL51 0GD

Comments: 17th November 2024

The Cheltenham Civic Society excels in safeguarding Cheltenham's architectural heritage. Their dedication to preserving the town's historical and cultural landmarks is commendable. Given their expertise and proven track record, I see no reason not to heed their advice in this application. Their insights and recommendations are invaluable in ensuring that our built heritage is protected for future generations.

56 Harvest Street
Cheltenham
Gloucestershire
GL52 3PQ

Comments: 17th November 2024

I have lived in Cheltenham since I was 13, worked in kitchen jobs as a teenager which taught me so many things that still apply today at the ripe old age of 41. I understand the objections, but lets be pragmatic, do this in a tasteful way and protect jobs and allow people to grow their businesses for the benefit of the community. The proposed structures in either form will not be detrimental, it will add further to what is a thriving business and local area.

13 Lyefield Road West
Charlton Kings
Cheltenham
Gloucestershire
GL53 8EZ

Comments: 24th November 2024

I fully support the proposals for 131. The design thoughtfully preserves the historic buildings while enriching Cheltenham's character. Importantly, the proposed structures do not obstruct the view of the buildings, allowing their historic features to remain clearly visible. 131 plays a very important role in the town, offering over 100 jobs and a diverse range of dining. With the hospitality sector facing closures and increasing vacant premises, backing projects like these is essential, and losing this venue would be a significant loss for Cheltenham.

65 Hales Road
Cheltenham
Gloucestershire
GL52 6SR

Comments: 2nd December 2024

Great venue, brilliant addition to Cheltenham. In support

11 Weston Park
Weston-under-Penyard
Ross-on-Wye
HR9 7FR

Comments: 3rd December 2024

I firmly support this planning application, the proposed structure is a beautiful design that sensitively fits in with the local architecture.

It is vital that businesses such as 131 are supported so that they may continue to succeed as they provide a vital contribution towards the vibrant culture and atmosphere of cheltenham. Which is crucial to drive the local economy and attract more visitors to the area.

6 Springfield Road
Cashes Green
Stroud
GL5 4RE

Comments: 23rd January 2025

We strongly support this request. It will only benefit the town and economy, most importantly keeping people in jobs to pay their bills!

4 Wyddrington House
55 Pittville Lawn
Cheltenham
Gloucestershire
GL52 2BQ

Comments: 28th November 2024

NONE GIVEN

40B The Broad Walk
Imperial Square
Cheltenham
Gloucestershire
GL50 1QG

Comments: 25th November 2024

Letter attached.

40B The Broad Walk
Imperial Square
Cheltenham
Gloucestershire
GL50 1QG

Comments: 25th November 2024

Letter attached.

14 Finchmoor Mews
Gloucester
GL2 9AR

Comments: 27th November 2024

NONE GIVEN

142 Ryeworth Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6LY

Comments: 29th November 2024

I am in full support of both submitted plans, they compliment the current structure aesthetic and will allow the business to maintain its full offering and retain employment within an important sector that Cheltenham offers.

131 enhances Cheltenham as a destination to visit in the Cotswolds, generating revenue for the town and as mentioned significant employment - therefore it would be detrimental to Cheltenham if the plans were not approved.

Westhall
Lansdown Parade
Cheltenham
Gloucestershire
GL50 2LH

Comments: 18th November 2024

The restaurant of the 131 Hotel was previously located within several ground floor rooms in the 129-131 block with central access to hotel reception through the front garden area where people enjoyed drinks and snacks. The restaurant had views out over the Promenade and Imperial Gardens beyond.

Views of the beautifully renovated buildings and gardens enhanced the Promenade. The garden areas in front of 131 created a unique central entrance to this special bijoux hotel.

The requirement for outdoor dining and bar space arose during the Covid epidemic. Numerous tents were erected in all the external areas providing extensive restaurant (140 covers) and bar space and obscuring views of the Grade II* listed buildings.

When Covid restrictions were lifted a new Japanese (additional) restaurant was installed in the 131 building where the previous restaurant had been located. The Gin & Juice nightclub bar in the basement of 131 was able to re-open. However, the use of the tented external restaurant and bars continued.

These additional tented bar and restaurant areas required outdoor heating and loudspeakers for music throughout, and ancillary storage/ bars in timber sheds to secure stock at night.

The proposed replacements for the tents along the Promenade do not improve the setting and frontages of these important listed buildings.

The proposed incongruous heavy ironwork and shaded roof and ancillary restaurant / bar features will totally detract from, and obscure views of the frontages of the Listed

buildings. The massing illustration is not done from a ground level perspective giving a deceptive view of the affect on the historic buildings.

The lighter pergola and roof blinds alternative (01762), does not show the ancillary structures and features of the bars and restaurant, and large umbrellas would provide similar protection from the elements.

There is no environmental argument for creating these unsustainable outdoor structures, when all of the activities could be accommodated within the Regency buildings.

If additional external dining space is really required it could be located to the south west of 133, where there is established screening from the new boundary trees.

All hotels, restaurants and bars in Cheltenham would love more accommodation during the Festival weeks, but this could be achieved at 131 within the existing Planning legislation for short-term temporary structures.

I strongly object to these replacement buildings for the tents. This hotel, before Covid, was a really special addition to the town, and I feel that people have forgotten just how beautiful it was before.

86 Tom Price Close
Cheltenham
Gloucestershire
GL52 2LF

Comments: 27th November 2024

NONE GIVEN

32 Withyholt Court
Cheltenham
Gloucestershire
GL53 9BQ

Comments: 27th November 2024

NONE GIVEN

Nelson Villa
Trafalgar Street
Cheltenham
Gloucestershire
GL50 1UH

Comments: 26th November 2024

I believe both of the 131 applications represent a detrimental and unnecessary change to a fine Regency facade. There is no justification that moves me. 131 will carry on offering a service to their customers, employees will have opportunities elsewhere, Mr Dunkerton will make a little less money . The circus tents have served their purpose.

5 Vittoria Walk
Cheltenham
Gloucestershire
GL50 1TL

Comments: 28th November 2024

Of the two applications made I would only be in favour of this design. The white metal seems far more in keeping with the style of the building and would be attractive to those of us living in the centre of Cheltenham and pass by on a regular basis

63 Cypress Road
Tewkesbury
GI20 7RB

Comments: 27th November 2024

NONE GIVEN

43 Sapphire Road
Bishops Cleeve
Cheltenham
GL52 7YT

Comments: 2nd December 2024

I would like to express my support for the planning application submitted under ref. 24/01763/FUL. This proposal not only reflects the evolving needs of the community but also supports a successful local business that has demonstrated its value to Cheltenham's economy and culture.

While I understand the concerns raised by the Cheltenham Civic Society, I believe their objections fail to adequately account for the broader context and significance of this application. The reference the following:

1. Modern Context and Temporary Structures

The Civic Society argues that the correct comparison is the pre-COVID setting, dismissing the current tents as merely temporary measures. Whilst they were, I believe erected because of the COVID pandemic they overlook the fundamental shifts in societal and business practices since. Many changes implemented during COVID have proven to be successful long-term adaptations, some which the council themselves are benefitting from! The proposed pergola structure is a natural progression, offering an aesthetically pleasing and permanent solution that integrates functionality with the heritage setting.

2. Impact on Heritage and Conservation

The Society claims that the proposal constitutes "substantial harm" to the Grade II* listed buildings and the Conservation Area. However, the application provides a thoughtful design intended to complement the architecture while meeting modern needs.

The existing tents may not be ideal, but this application represents a significant improvement. The pergola's design respects the setting by incorporating contemporary materials that harmonize with the historic backdrop. It does not detract from the buildings' prominence but instead enhances the area's usability and appeal.

The assertion that this sets a dangerous precedent ignores the reality that Cheltenham must balance heritage with innovation. Maintaining architectural integrity should not come at the cost of stagnating economic and cultural progress.

3. Economic Significance and Public Benefit

The Civic Society questions the economic impact of 131 on Cheltenham, suggesting that any loss in revenue could simply be redistributed to other establishments. This perspective ignores the unique draw of 131, which has become a destination venue, attracting visitors from beyond Cheltenham and contributing to the town's broader appeal.

The success of 131 drives footfall to other local businesses, benefits the hospitality sector, and supports events like the Cheltenham Festivals. The economic benefits are not confined to 131 alone but ripple across the town, fostering a thriving local economy. I for one enjoy going to 131, do I go every time I go out for a drink or dinner, no I do not, does it draw friends and family to Cheltenham, yes. It is somewhere to visit with a group for food and/or drinks absolutely its always one of the top options.

4. Proposed Alternatives

The Society suggests alternatives, such as a structure to the south-west of No. 133. Any suggestion needs to consider the logistical, financial, and aesthetic challenges they would impose. The proposed pergola on the face of it appears to offer a far more practical and sustainable solution, avoiding the inefficiencies and limitations of temporary structures.

5. Addressing Broader Town Issues

Finally, it is worth noting that Cheltenham faces significant challenges, including numerous empty buildings, neglected public spaces, and infrastructure issues. In this context, denying a project that fosters economic growth and cultural vibrancy would be shortsighted. Instead, the Council should prioritize enabling successful ventures like 131 to continue contributing to the town's revitalization.

In conclusion the positives of this application far outweigh the concerns raised. The pergola structure provides a necessary and sensitive solution to support a business that

is integral to Cheltenham's economy and culture. I urge the Council to consider the overwhelming public support for this proposal and approve the application.

Flat 6
Macadam House
31 Bath Street Cheltenham
Gloucestershire
GL50 1YA

Comments: 20th November 2024

I would love to use this space! Especially in the summer time, it will be top notch! Nice and matching with the surrounding environment and shows the beautiful building behind.

1 Tarrys Row
Evesham
WR11 4PQ

Comments: 27th November 2024

The metal-framed pergola is sensitive to the architecture in Cheltenham and would be a beautiful addition to The Promenade.

Flat 25
The Courtyard
Montpellier Street
Cheltenham
Gloucestershire
GL50 1SR

Comments: 13th November 2024

I notice that supporters of this scheme to date are not living nearby and appear to have commented before wider distribution of the details of this scheme, presumably because they have been approached to do so.

The Regency terrace in question is very much part of the listed Imperial Square buildings and adjacent to the fine architectural example of the Queen's hotel.

The construction proposed in front will completely conceal the beauty of the terrace and destroy what is a vital part of Regency Cheltenham. It does not improve in anyway the tentage erected during the Pandemic and simply adds another modern eyesore to it.

The bar and restaurant facilities created by this development are much too large for the location and have severely affected business at other small hospitality venues nearby which have suffered as a result. Also the levels of noise by loud music generated during the day and at night, especially during the weekend, cause considerable annoyance to residents nearby.

The economic considerations quoted about the 100 employees are nonsense since there are many other hospitality locations nearby who are having great difficulty in recruiting

staff and there is a well-known general shortage of hospitality staff in Cheltenham as in the rest of the UK.

It will be very sad if the council bends to the economic power of one individual at the expense of losing architectural beauty and the merits of protecting the town's historic heritage.

32 Imperial Square
Cheltenham
Gloucestershire
GL50 1QZ

Comments: 23rd November 2024

Once again I agree with everything the Civic Society says. It is unattractive. Most of the time, due to the British climate, the sides and roof will be in place. It is therefore not very different from the tents that are there at the moment. It is environmental unfriendly with the heating system they have. It will be as noisy and as disturbing as it is at the moment. Please do not grant permission.

36D The Broad Walk
Imperial Square
Cheltenham
Gloucestershire
GL50 1QG

Comments: 20th November 2024

Cheltenham Borough Council's relaxation of the rules relating to the installation of temporary structures was clearly the right thing to do, however, there was a limitation regarding the size of such structures in terms of footprint and height. Whilst every other business welcomed this help and complied, the Lucky Onion Group saw this as a business opportunity. They completely ignored these rules, not to survive but to gain an unfair advantage over other hospitality businesses in the area. They massively increased their number of covers, completely ignoring the spirit and intent of the amended rules seeing only an opportunity to increase profits. Their own figures show that, over the same period pre and post marquees, there was a huge increase in profits of 858%. This is not newly created revenue but displaced revenue. While others struggled, they pressed home their unfair advantage, taking an unjust share of the available hospitality custom.

Even after the relaxation of Covid rules they continued to treat the planning process with contempt, using delaying tactics to keep the illegal marquees and maintain their unfair advantage. This latest application is equally disrespectful of the planning process as it will require the LPA to ignore the rules rather than uphold them. This would result in significant harm to these highly important Grade 2 Star listed buildings and the Montpellier Conservation area.

The applicant would have us believe that 131 enhances Cheltenham's attraction and its "economic vitality". A clear attempt to gaslight the public and the Council. It is Cheltenham's Heritage and Culture that attracts visitors, its beautiful buildings, its Gardens, its Cultural events. This is what attracts visitors, and this is what enables 131 to

be economically viable. Cheltenham's Heritage and Culture will be here long after the Lucky Onion Group are gone.

Permitting this development will rubber stamp their dubious behaviour and allow them to maintain this unfair, ill-gotten advantage over their competitors, who have complied with the rules.

It will also set an unacceptable precedent that will greatly harm Cheltenham's Heritage and appeal, having a long-term detrimental effect.

Much is made of the numbers of personnel employed at 131 but it is a fact that hospitality skills are in short supply and there is ample opportunity for alternative employment.

For the long term good of Cheltenham's Heritage Buildings and Settings these proposals must be rejected.

18 Peregrine Road
Cheltenham
Gloucestershire
GL53 0LL

Comments: 12th November 2024

I Fully support the addition of this structure to the current property. It would be a great addition and improvement to what already is an asset to the town.

23 Imperial Square
Cheltenham
Gloucestershire
GL50 1QZ

Comments: 22nd November 2024

Comments: The buildings to which this application pertain have been an important part of Cheltenham's architectural and cultural heritage for around 200 years, with a particular significance given their visibility at the heart of the town. Any change to the appearance of these buildings should therefore only be accepted in exceptional circumstances and not where the justification is based on relatively short term outcomes or on private gains.

I believe that justification for the proposal is suggested on the basis of an increase in visitor numbers and on the creation of local employment.

Firstly, without hard data to show that there is highly likely to be a material increase in visitors to Cheltenham purely as a result of the change to these buildings and that any such increase will be to the economic benefit of the town, and not just to the businesses conducted in the buildings, such a claimed benefit should be ignored. Any claimed (and evidenced) material benefit would still need to be considered in the context of not

detracting from the enjoyment of other aspects of the town through, for example, increased noise or traffic.

Secondly, the suggestion that the development is needed to support employment in the town seems far-fetched. I would be sceptical of the view that the development specifically supports all of the jobs that are suggested, rather than a subset that are directly attributable to the space created by the development. I also note that the hospitality sector more widely is struggling with a shortage of labour so it seems that job creation in this sector is not a high priority at this time.

It seems to me that the application is primarily driven by a desire to increase the profit potential from the site(s). Whilst profit is not a bad thing, it is not a basis for making a long term change to these specific buildings, which will be an important part of the culture and history of Cheltenham long after these particular businesses have gone.

The Dovecote
The Dovecote Swindon Lane
Cheltenham
GL50 4NZ

Comments: 26th November 2024

Change is often scary and so many people these days are against it. However we have to keep moving forward , evolving, adapting, growing with the times and learning to be flexible with our views and approach . I fully support this plan. It allows the buildings to shine and still provides much needed space for the business. I don't doubt it will be done to the highest level possible and finished to the most luxurious standard .

45 Moorend Road
Cheltenham
Gloucestershire
GL53 0ET

Comments: 20th November 2024

I support the plans for the replacement of the tents outside 131. Cheltenham retains its beautiful heritage buildings in many, many ways and the restoration of the buildings around 131 has contributed to the town's economy as well as staying in tune with its historic buildings.

The plan's show a tasteful extension with a Parisian touch contributing to not hindering the elegance of the buildings.

Our town welcomes thousands of visitors every year and 131 and other business's of The Lucky Onion provide local employment and a huge contribution to our towns economy year on year. The planning and work of the architects involved on this is second to none, this town needs more of this local business and support not less!

7 Nightingale way
South Cerney
Nr Cirencester
GL75WA

Comments: 20th November 2024

This lighter structure is in keeping with the area, it allows visibility to and from the buildings giving a great view of the Park and Promenade.
It would be a fantastic addition to the area keeping people in employment and attract footfall to the area

1 Coates Mill Cottages
Winchcombe
GL54 5NH.

Comments: 12th November 2024

Both of Dunkerton's proposals are awful. There should be nothing in front of the villas taller than 2 metres. Don't be bullied. John Belfield

Parkgate House
West Approach Drive
Cheltenham
Gloucestershire
GL52 3AD

Comments: 21st November 2024

Both proposals harm the beautiful frontage of this grade 2* Regency building and should be refused.

Tables with umbrellas which used to be there did not damage the elevation but these plans will.

I think the structures would set a precedent for any business in Cheltenham even in listed buildings to add a prefabricated addition in any space that exists around the building to increase floorspace at low cost.

What is the energy rating of these structures which need gas burners in winter and air conditioners in summer.

Not environmentally friendly in 2024.

Although ***** has done a lot for Cheltenham there should be a level playing field for everyone in the town and this structure should be refused.

Apartment One
27 Park Drive
Harrogate
North Yorkshire
HG2 9AY

Comments: 11th December 2024

I am sending this email to you to share my support for the planning applications for no131 the promenade.

>

> My husband and I visit Cheltenham from Harrogate a few times a year and we are always welcomed, Cheltenham feels like a home from home for us, very similar period architecture which we love.

>

> We frequently stay at no131 during our visits. We first chose to stay at no131 as they have done a fantastic job honouring the beautiful architecture of the building in their interior design (which many hotels don't) but also great food and atmosphere in the restaurants both inside and out.

>

> The space that no131 intend to use to the exterior of the building is very much in keeping with the area in my opinion. It honours the grandeur of the building, whilst providing a great space for locals and tourists to enjoy everything Cheltenham has to offer.

>

> One thing that really stands out to me in Cheltenham (and the Cotswolds) is the clever use of space to create great customer experience using period buildings and their exterior's. Something I believe is lacking in North Yorkshire where we live, it is a massive opportunity for the hospitality industry here to 'up its game' in this space and take some ideas from other counties!

>

> It would be such a shame to see something that works so well and has been planned so considerately, provides local jobs and boosts local economy to not be able to go ahead.

>

> The knock on effect that no131 has to the footfall of other local businesses would massively be impacted if it could not continue to operate.

>

> To be really honest here, If no131 was not there to be enjoyed, we would not visit Cheltenham anymore and stay elsewhere in the Cotswolds each visit. It gives a reason to visit Cheltenham, specifically the area around Montpellier and without it I feel other local businesses would suffer.

>

> Thank you taking the time to read this email

113 St Georges Road
Cheltenham
Gloucestershire
GL50 3ED

Comments: 8th November 2024

I am very keen to see 131 retain its restaurant capacity. The existing tentage seems OK to me, but the new proposals are so much better both from an aesthetic viewpoint and to greatly improve the dining experience. A very big improvement all round.

7
Station Road
Newnham
GL14 1DH

Comments: 27th November 2024

I fully support the project, which will provide a location which does not affect traffic or noise also providing Cheltenham with a location full of vibrancy and class . Looking at the plans it does not take anything from the regency buildings in fact in my opinion they bring them into the 21st century which is so called progress! Thank you

24 Carlyle Grove
Cheltenham
Gloucestershire
GL51 0PW

Comments: 11th November 2024

I would like to support the "Erection of metal-framed pergola structures"; it has been beautifully designed to fit in with the existing metalwork alongside the promenade. This design manages to combine both history and opportunity. To me the perfect middle ground to keep the vibrant outside space and No.131 alive. Unthinkable losing this valuable space. No.131 has brought life to the Promenade and connects the town.

23 Imperial Square
Cheltenham
Gloucestershire
GL50 1QZ

Comments: 20th November 2024

I strongly object to the two proposed planning applications for the following reasons:

Heritage Impact:

The first application proposes black steel, fully glazed conservatories in front of each of the three buildings. The second proposes light steel-framed pergolas with retractable fabric roofs. Both of these additions significantly undermine the heritage of the square. As a resident living opposite these buildings, I can confirm that similar additions would not be permitted for my property. Allowing these contraptions to alter the façade would set a damaging precedent and detract from the historic and aesthetic value of this important Cheltenham square.

Visual Harm:

Both proposals create an unacceptable visual impact, causing significant harm to the setting and character of the buildings. This square is a cornerstone of Cheltenham's historic identity, and such alterations compromise its integrity. The charm and heritage of the area must be preserved without exceptions for commercial gain.

Unfair Commercial Advantage:

While leniency may have been justifiable during the COVID-19 pandemic, the continued presence of these additions offers an unfair advantage to this particular business. Cheltenham's historic character should not be sacrificed for the financial benefit of one entity.

Employment Argument:

Claims of employment benefits are misleading. The hospitality sector as a whole faces recruitment challenges, and a reduction in operations for one business would redistribute staff opportunities elsewhere. Employment is therefore irrelevant to this discussion, which should focus solely on preserving the site's heritage and appearance.

Local Disruption:

As a resident, I find the music played outdoors year-round disruptive and inappropriate for this historic location. It further undermines the tranquility and dignity of the area, detracting from the experience of living here.

In summary, these proposals harm the historic character of Cheltenham's premier square, create an unfair commercial advantage, and disrupt the area's ambience. I urge the planning authority to reject these applications to safeguard the square's unique heritage for current and future generations

St Mary?s
Eastcombe
GL6 7dy

Comments: 21st November 2024

I am fully supportive of both options to replace the tents. They will fully enhance the look and feel of 131 and will make these beautiful buildings look even better than they do. This option is my preferred of the two but either way, there is no reason that they should be rejected.

The amount of time, money and effort ***** as spent in giving back to Cheltenham, including restoring these buildings is unbelievable and this is just another example of doing something right for the town

Flat 7
33 Lansdown Crescent
Cheltenham
Gloucestershire
GL50 2NG

Comments: 27th November 2024

NONE GIVEN

CHIEF PLANNING OFFICER,
C.B.C.,

MUNICIPAL OFFICES,
PROMENADE,
CHELTENHAM, GLOS.

18 Imperial Square
Cheltenham
Glos. GL50 1QZ

20/11/2024

Dear Sir/Madam,

RE:- PLANNING APPLICATIONS

24/01762/FUL + 24/01763/FUL


My wife and I wish to make the
strongest objection to the planning application
24/01762/FUL + 24/01763/FUL in respect
of 125-127, 129-131 and 133 Promenade,
Cheltenham, Glos.

These proposed structures would hugely damage
and possibly destroy the frontal appearance
and setting of these three magnificent,
Grade 2*, period buildings located in the
centre of Cheltenham, on the Promenade, in
the iconic Imperial Square.

The tents these ⁵⁷Page 222 are intended to replace where erected as a completely TEMPORARY measure during the emergency restrictions of the Covid pandemic, to be removed immediately once the pandemic ended.

They have not been removed in spite of a number of orders by the planning authorities, and there are absolutely no grounds for a permanent replacement structure to be permitted in order that the three listed buildings and surroundings be restored to their original pre-Covid condition.

If a compromise position is required for economic reasons, the suggestion by Cheltenham Civic Society in its submission of 14th November 2024, to the South West of NO:- 133, in some form of elegant curved contemporary building facing Queen Circus, could be given consideration, thereby protecting the beautiful facades of the 3 properties facing Imperial Square.

Yours faithfully,


**40B THE BROADWALK
IMPERIAL SQUARE
CHELTENHAM GL50 1QG**

22 November 2024

BY HAND

The Planning Officer and Team
Cheltenham Borough Council
Municipal Offices
Promenade
Cheltenham GL50 9SA

Dear Planning Officer and Team

Planning Application - 24/01763/FUL

With reference to the above Planning Application, I wish to object to the proposal.

Number 131 Promenade is an important component of the Conservation Area within which it is situated.

This Regency building should be seen therefore, in its original form and not cluttered up with modern additions on its most important frontage.

Yours faithfully,

**40B THE BROADWALK
IMPERIAL SQUARE
CHELTENHAM GL50 1QG**

22 November 2024

BY HAND

The Planning Officer and Team
Cheltenham Borough Council
Municipal Offices
Promenade
Cheltenham GL50 9SA

Dear Planning Officer and Team

Planning Application - 24/01763/FUL

I object to the above Planning Application.

Cheltenham is well known as a Regency Town and this brings people to visit and to live here.

Therefore, these Regency buildings should be clearly visible with nothing in front of them.

Yours faithfully,

/

Cheltenham Borough Council
Development Management
The Municipal Offices
Promenade
Cheltenham
GL50 9SA

BPA 3041_03

19 November 2024

Representation in OBJECTION to planning application reference 24/01763/FUL for the Erection of metal-framed pergola structures within the front curtilages of Nos 125-127, 129-131 and 133 Promenade to provide external restaurant, dining and drinking facilities associated with 131 Promenade and existing hotel. Installation of PV panels to roofs of 125-127 and 133 Promenade and removal of existing conservatory to side of 133 Promenade.

Dear Lucy White

I have been instructed by [REDACTED] owners of No 117 Promenade, to review the above-mentioned application and consider whether they should submit any representation in regard to the development proposed. My client's property lies within proximity to the application site: No 117 Promenade forms part of the neighbouring terrace that lies immediately north-northeast of the application site.

Following a review of the application documents, I am of the opinion that the *metal-framed pergola structures within the front curtilages* is not acceptable in planning terms and have advised my clients to lodge a formal **objection**. I write on their behalf on the following grounds:

Page | 1

Legislation and policy pertaining to the historic environment directs decision-making to conserve and enhance the significance of heritage assets. This proposal will diminish the significance of the affected heritage assets for the following reasons:

The proposal will act to conceal/obscure the ground floor and basement level of the principal (most important) elevation of the Grade II* buildings;

It will erode the open space to the front of these important buildings which is a key element that makes a positive contribution to the setting of the building and character and appearance of the wider Central Conservation Area;

Will fail to reinforce the planned and spacious characteristics of the Central Conservation Area;

Shall interrupt the spacious character and intervisibility between important buildings within this planned group notably the Grade II* Queens Hotel;

The design has little architectural merit and will appear as an alien feature and be visually intrusive within the historic setting; and

Will adversely impact how the heritage assets are appreciated in their own right and as an important group.

The above findings are supported in a recent appeal decision reference APP/B1605/W/23/3314132 where the applicant sought to retain the existing unlawful marquees for a period of 2-years. This appeal upheld the decision of the Council to refuse. Many of the planning appeal matters are relevant to this proposal and as such, are material to the consideration of this current application. Further, the above echoes the concerns raised by the Cheltenham Civic Society in their comments on this application.

Paragraph 212 of the NPPF states “Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (which better reveal its significance) should be treated favourably.” Removal of the existing

Page | 2

Planning ▪ Design ▪ Development

conservatory to the side of 133 is welcomed. Should the applicant genuinely want to remove this structure then a separate application should be submitted for this single element. The removal of the conservatory would not outweigh the harm identified herein. The same applies to the alleged economic impact. The Inspector in the above-referenced appeal makes the following comments on this matter:

39. I agree with the Council that there is a lack of supporting evidence with regard to the precise financial implications of the marquees and the extent to which the businesses are dependent upon them. However, having regard to the significant number of tables located within the areas covered by marquees, I do not doubt that these areas generate a substantial income throughout the year, as they are essentially an extension of internal dining areas and bars, allowing for significantly more tables and more customers. This in turn will result in employment and a benefit to the local economy, in that through diners going on to visit the nearby bars after a meal.

40. However, I would note that the issue is not that outdoor dining in itself is unacceptable in principle, the harm considered above is based around the number and form of marquees covering these spaces. There is no evidence before me that the appeal proposal is the only means of providing outdoor dining and indeed, I saw no similar marquee structures at nearby restaurants and bars, which often included outdoor seating therefore attribute limited weight to the economic benefits described above [my own emphasis added].

Only limited information is provided on the proposed solar (PV) panels. To enable proper consideration additional detailed information is required to assess the impact on heritage significance; the impact on building fabric; and structural loading. Again, should this element of the proposal be found acceptable in planning terms it would not outweigh the harm identified herein.

Planning ▪ Design ▪ Development

For the above reasons, the proposal is contrary to relevant legislation, development plan policy and national planning policy set out in the NPPF as well as guidance produced by Historic England and should be refused.

I note an application for a similar parallel proposal has been submitted under reference 24/01762/FUL. The difference is merely the design and appearance of the metal-frame pergola structures. Neither design approach is appropriate nor overcomes the concerns raised. My client will therefore be submitting **objections** to both.

Yours sincerely



Wendy Hopkins, MRTPI
Company Director

Cheltenham Borough Council
Development Management
The Municipal Offices
Promenade
Cheltenham
GL50 9SA

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19 November 2024

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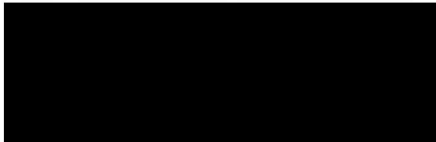
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Planning ■ Design ■ Development

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Yours sincerely



Wendy Hopkins, MRTPI
Company Director

The Planning Officer,
Cheltenham Borough Council
Promenade
Cheltenham

25 Timperley Way
Up Hatherley
Cheltenham
GL51 3RH

5th December 2024

Dear Sir/Madam,

RE: Objection to Applications 24/01762/FUL and 24/01763/FUL - Erection of glazed structures within the front curtilages of Nos 125-127, 129-131 and 133 Promenade

Further to the photographic document I have already submitted showing all the above buildings before the tents, I wish to raise an additional objection regarding the three mature London plane trees which stand at the front boundary of the buildings in question.

These mature plane trees are part of the original tree planting of the Upper Promenade and they significantly add to the long established and cherished character of the Promenade. The roots of the trees will roughly spread as far as the canopies. Thus established roots will be under the new buildings as they will be built very close to the trunks and under the canopies.

The proposed buildings cover virtually all the garden frontage and are the equivalent to several long orangeries. I understand that an orangery requires the same foundation strength as any typical building extension which would mean they would need to be at least a metre in depth. So even though they will be made of double glazed glass and steel, they will require substantial foundations.

Whilst this could be countered by hand digging all the foundations there is still a risk to the glass buildings from overhanging falling branches. This will be a continuous ongoing risk which may ultimately need to be dealt with by an application to fell the three trees. Even if this is not the current desire of the owner, insurers often have requirements about tree management close to property (especially commercial property) which could necessitate the removal of these trees, or the imposition of exclusion clauses or conditions, resulting in there being no public liability insurance cover. The plane trees are on Cheltenham Borough Council owned land, so any risk of tree damage to the new buildings or of injury to clients dining within, will probably need to be addressed and assessed by CBC, and would likely result in an even greater chance of the trees being removed due to the Council being very risk averse, and sensitive to potential financial claims from adjacent property owners and/or members of the public.

In a list of 26 'Trees influencing distance information for property insurers' produced by the Association of British Insurers (ABI), the Plane tree is 5th in the list of trees requiring the greatest distance from a building (22 metres). Although these plane trees and the historic buildings have been there for a very long time and have adjusted well to each other, adding such an extensive run of new buildings right under the canopies and very close to the trunks

of all three trees must threaten their continued survival. Further down the line, even if just one branch falls onto the glass roof, their removal on the grounds of safety is likely.

Tree roots need an equal blend of both oxygen and water in which to survive and plane trees have a high water demand. Covering all the front gardens of these buildings will impact on both these essential nutrients for these wonderful trees. Future desiccation of the ground from less water can cause long term heave. In addition falling leaves during the autumn, and the ball-like seeds which fall in the spring, will accumulate upon the glass roofs and would be a further nuisance, and whilst not sufficient grounds in themselves, could be an additional factor in any desire for their removal after construction.

Plane trees can live up to 400 years, so these plane trees still have plenty of life left and can continue to enhance the character of the Promenade for many years to come.

The three trees at immediate risk from this proposed development form part of a full line of majestic plane trees which now characterises Cheltenham's Upper Promenade.

I therefore submit an objection to this application on the grounds of the potential harm to, and future subsequent removal of the plane trees.

I attach a separate photo document showing the close proximity of the trees to the proposed new buildings.

Yours sincerely,

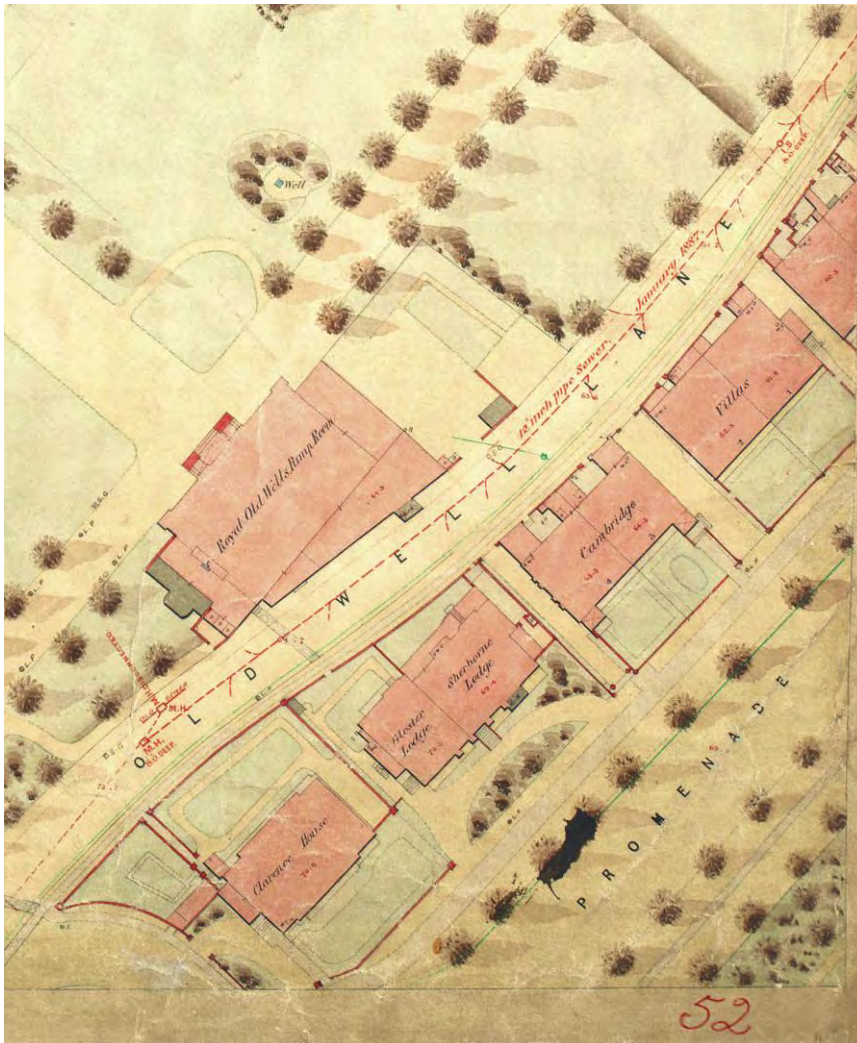
A solid black rectangular box used to redact the signature of the author.

Promenade Marquees : Visual Harm to the Regency Streetscape

Clarence House

Sherborne Lodge

Kings House



Upper Promenade on the 1855 Town Map

PROMENADE VISTAS













The two main motifs are used most successfully on Clarence House, 133 The Promenade











KINGS HOUSE















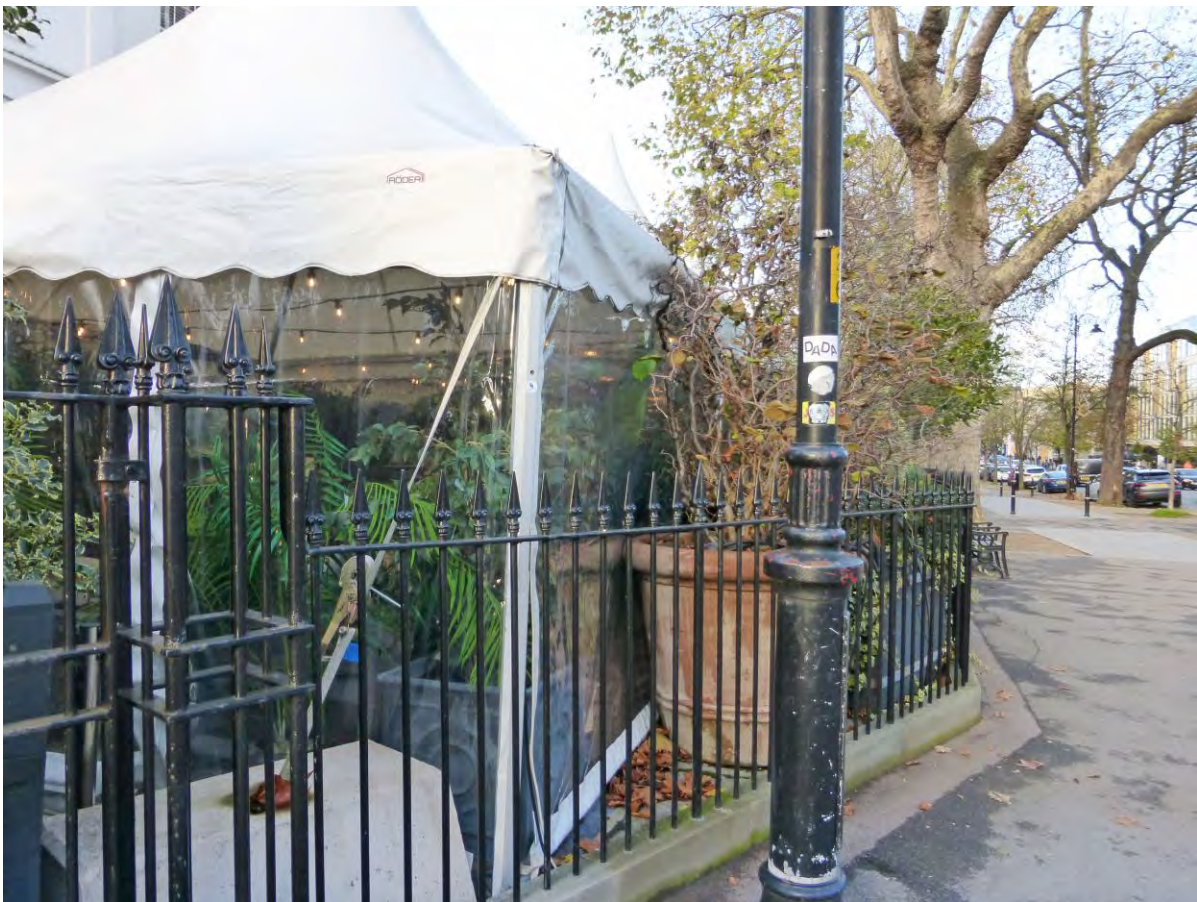






Clarence House









Sherborne Lodge









Kings House







PREVIOUS UMBRELLAS





PROMENADE PLANE TREES AFFECTED BY THE ABOVE APPLICATION



1

Looking north from outside the Queens Hotel the three London Plane trees can be seen which will all be in very close proximity to the proposed new buildings.



2

Looking south from outside Kings House another view of the three plane trees from the other direction.



3

The plane tree outside Clarence House, Promenade. The Tulip tree (far left) in the front garden was removed before the Lucky Onion development took place.



4

Another view of the plane tree on the perimeter of Clarence House.



5

The plane tree outside Clarence House in the foreground and on the right, the plane tree outside 129-131.



6

The plane tree at the boundary railings of 129-131 the Promenade, before the tents.



7

Another view of the plane tree outside 129-131 the Promenade. The fine fluted door pillasters are attractively echoed by the tall upright trunk of the plane tree.



8

The plane tree on the boundary of Kings House, Promenade, before the tents.



9

The plane tree on the boundary of Kings House after the tents.

APPLICATION NO: 24/01520/FUL	OFFICER: Mrs Lucy White
DATE REGISTERED: 19th September 2024	DATE OF EXPIRY: 14th November 2024/Agreed Extension of Time until 10 th February 2025
DATE VALIDATED: 19th September 2024	DATE OF SITE VISIT:
WARD: Up Hatherley	PARISH: Up Hatherley
APPLICANT:	Cheltenham Borough Homes
AGENT:	MHP Design Ltd
LOCATION:	Wallace House Windermere Road Hatherley
PROPOSAL:	Erection of 3no. secure bin stores within curtilage of Wallace House, plus dropped kerb, new internal access paths and screen planting.

RECOMMENDATION: Permit



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

1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 Wallace House is a large, modern two storey, brick faced building located prominently on a corner plot at the junctions with Windermere Road , Alma Road and Buttermere Close. The building consists of several wings and is sub-divided into a number self-contained flats with a ground floor community hub facility offering health and wellbeing services and social activities. The site is bounded by low hedgerow and there are a number of trees adjacent to the west and east site boundaries. The character of surrounding development is predominantly two storey and residential.
- 1.2 Planning permission is sought for the erection of 3no. secure bin stores within the curtilage of Wallace House, plus dropped kerbs, new internal access paths and screen planting.
- 1.3 This application is before the Planning Committee because the property is owned by Cheltenham Borough Council and managed by Cheltenham Borough Homes.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Airport safeguarding over 10m
Flood Zone 2
Principal Urban Area

Relevant Planning History:

None

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 14 Meeting the challenge of climate change, flooding and coastal change
Section 15 Conserving and enhancing the natural environment

Adopted Cheltenham Plan Policies

D1 Design
SL1 Safe and Sustainable Living

Adopted Joint Core Strategy Policies

SD4 Design Requirements
SD9 Biodiversity and Geodiversity
SD14 Health and Environmental Quality
INF1 Transport Network
INF2 Flood Risk Management

Supplementary Planning Guidance/Documents

Cheltenham Climate Change (2022)

4. CONSULTATIONS

See appendix at end of report

5. PUBLICITY AND REPRESENTATIONS

Number of letters sent	28
Total comments received	0
Number of objections	0
Number of supporting	0
General comment	0

- 5.1 Letters were sent to 28 neighbouring properties. No representations were received following the publicity.

6. OFFICER COMMENTS

6.1 Determining Issues

- 6.2 The key issues for consideration are the design and layout of the proposals and their impact on the character and appearance of the street scene and amenities of neighbouring land users. Highway safety implications, soft landscaping proposals and biodiversity net gain matters will also need to be considered.

6.3 Design and layout

- 6.4 Section 12 of the NPPF emphasises the importance of achieving well designed places that are visually attractive and sympathetic to local character and setting. Paragraph 135 requires decisions on planning applications to ensure that new developments “*will function well and add to the overall quality of the area...are visually attractive...are sympathetic to local character...including the surrounding built environment....and create places that are safe, inclusive and accessible...with a high standard of amenity for existing and future users*”. In addition, policy SD4 of the JCS and policy D1 of the Cheltenham Plan require development to be of a high standard of architectural design that positively responds to and respects the character of the locality and should be of a scale, type and materials appropriate to its setting.
- 6.5 The (revised) proposed layout includes 3.no refuse bin enclosures of varying sizes, two adjacent to the west site boundary and one adjacent to the east boundary and fronting Windermere Road. A new ramp access to one bin store, new footpath construction and two potential areas for a dropped kerb are also proposed; one to the rear within the existing car park area and the other on Windermere Road utilising an existing edge of carriageway hard standing. The 3no.bin stores would be enclosed and partially screened by soft landscaping/hedgerow and the existing boundary hedges along the west and east site boundaries in front of the proposed bins stores allowed to grow to a height of 1.8 metres.
- 6.6 The bin stores would be constructed of 2 metre high paladin mesh panels with swing gates for access and finished in a moss green colour. Officers acknowledge that the fencing at a height of 2 metres is relatively high and the top sections of the bin stores would be clearly visible above the proposed hedge screening (once established), However, the area of individual coverage is small, two of the proposed bin stores are set back from the road frontage and new screen planting is proposed around all three stores, thereby lessening the visual impact of the fencing on the street scene. In conclusion, the proposals are not considered to be significantly harmful to the character and appearance of the street scene and the harm not sufficient to warrant refusal of the application. Furthermore, similar proposals for new bin store enclosures have been approved recently on other CBH sites.
- 6.7 The two bin stores located adjacent to the west site boundary would be located within the tree root protection areas (RPAs) of trees within and adjacent to the site. As such, the bin

stores are proposed to be constructed above a cellular system to avoid damage to the RPAs and ground levels would be raised in these locations to accommodate the existing root system.

6.8 The Council's Trees officer has reviewed the proposals and following the submission of a suitable Tree Protection Plan, raises no further concerns. The TO's comments are set out in full at the end of the report.

6.9 Given the separation distances from the building elevations and windows, there are no neighbour/occupier amenity concerns.

6.10 In light of the above considerations, the proposed development adheres to the objectives of Policies D1, SL1 and GI3 of the Cheltenham Plan and policies SD4 and SD14 of the Joint Core Strategy.

6.11 Access and highway issues

6.12 The Highways Development Management team, acting as local highway authority (HA) raise no objection to the proposed development. The bin storage areas proposed do not directly restrict the public highway or any means of access currently available by foot or vehicle. Similarly, the HA has no comment in relation to the proposed dropped kerbs.

6.13 Sustainability

6.14 NPPF paragraph 161 states that:

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

6.15 Policy SD3 of the JCS requires all new development to be designed to contribute to the aims of sustainability by increasing energy efficiency and minimising waste and air pollution. Development proposals are also required to be adaptable to climate change in respect of the design, layout, siting, orientation and function of buildings. Similarly, Policy INF5 of the JCS sets out that proposals for the generation of energy from renewable resources or low carbon energy development will be supported.

6.16 The Cheltenham Climate Change SPD (adopted June 2022), sets out a strategy for decarbonising buildings over the next decade. For all new development there is an opportunity to improve the environmental performance of buildings through the inclusion of technologies and features such as photovoltaics, heat recovery, permeable (or minimal) hard surfaces and renewable and appropriately sourced materials, for example.

6.17 Unfortunately, the applicant has not provided a Sustainability Statement/Checklist but given the nature and scale of development proposed and the potential significant gains in the biodiversity of this site, the lack of any other direct response to the SPD is considered acceptable.

6.18 Other considerations

6.19 Ecology/Biodiversity Net Gain

6.20 Policy SD9 of the JCS seeks the protection and enhancement of ecological networks and across the JCS area, improved community access and for new development to contribute

positively to biodiversity and geodiversity whilst linking with wider networks of green infrastructure.

6.21 A minimum 10% biodiversity net gain (BNG) is now mandatory for non-major developments; albeit there are some exemptions.

6.22 The Council's ecologist (EO) was consulted on the application and confirms that the mandatory 10% Biodiversity Net Gain (BNG) requirement is applicable to the proposed development. As such, the applicant provided an updated small sites biodiversity metric and BNG Assessment report. The revised BNG calculations demonstrate a 129% gain in habitat units and a net gain in hedgerow units, as none are currently present on the affected parts of the site. The EO considers that all previous comments are addressed and a net gain over 10% is achievable for this site.

6.23 A Biodiversity Gain Plan will be required under the mandatory BNG condition to maintain a moderate condition of the site's biodiversity/grassland.

6.24 A Habitat Management and Monitoring Plan (HMMP), in accordance with the approved Biodiversity Gain Plan, should also be submitted for approval. This would update the submitted LEMP in terms of a 30 year habitat monitoring scheme.

6.25 The EO recommended conditions are attached and re-worded where necessary.

6.26 Public Sector Equality Duty (PSED)

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

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

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

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

7. CONCLUSION AND RECOMMENDATION

7.1 For the reasons outlined within the report, the officer recommendation is to grant planning permission, subject to the following conditions and informatives. The mandatory BNG informative would also be added to the decision notice.

7.2 The applicant has agreed to the terms of the pre-commencement conditions.

8. CONDITIONS / INFORMATIVES

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

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

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

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

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

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

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

- (f) [HMMP] has been implemented; and
- (g) habitat creation and enhancement works as set out in the [HMMP] have been completed.

No operations shall take place until:

- (h) the habitat creation and enhancement works set out in the approved [HMMP] have been completed; and
- (i) a completion report, evidencing the completed habitat enhancements, has been submitted to, and approved in writing by the Local Planning Authority.

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

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

Reason: To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act 1990 and having regard to adopted Policy SD9 of the Joint Core Strategy (2017).

- 4 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.

Reason: In the interests of the character and appearance of the area, having regard to adopted policies D1, G12 and G13 of the Cheltenham Plan (2020), 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.

- 5 The development hereby approved shall not be carried out unless in accordance with the approved Tree Protection Plan (TPP). The protective measures specified within the TPP shall remain in place until the completion of the construction process.

Reason: To safeguard the existing tree(s) in the interests of visual amenity, having regard to adopted policies GI2 and GI3 of the Cheltenham Plan (2020).

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.

Consultations Appendix

Tree Officer 1

20th September 2024 - It would benefit the applicant to submit proposed tree protective measures to reduce the risk of inappropriate storage / spillage etc within the RPAs of retained trees.

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

Tree Officer 2

4th October 2024 –

The tree protection plan that has been submitted conforms to BS5837 (2012) and will benefit the scheme. No further details are required from the Trees Section.

CBC Ecologist 1

9th October 2024 - The BNG metric shows a net loss calculation (-77%) and the trading rules have not been met.

Can you please pass on that the team will have to revise their proposals to achieve a net gain in biodiversity. I recommend they use an ecologist to complete their BNG assessment and advise on habitat creation to get their calculation over the 10% net gain mark.

CBC Ecologist 2

11th November 2024 – Full response with diagrams in documents tab

This application needs an accompanying BNG report to explain the contents of the Small Sites Biodiversity Metric (“the metric”) submitted (Alex Dallyn, Landscape Architect, October 2024) and for the metric to be revised to address some inputting errors.

The areas (m²) of the two lines of vegetated garden in Baseline Habitats of tab 5 in the metric equate to 113.50m². This neither corresponds to the actual area of each bin store, or the total area of the site (3748m² according to this proposal’s application form).

According to the idox measuring tool on the Bin Store Proposals plan submitted (drawing number: 24037.101 REV C), the area of each proposed bin store is (approximately):

17.61m²

11.83m²

12.56m²

These measurements do not include the area of hedgerow proposed around each bin store. There are no issues with the inputting of the proposed hedgerow lines in tab 6 of the metric, 33m corresponds to the Bin Store Proposals plan. See below.

The Bin Store Proposals plan doesn’t show the proposed creation of any introduced shrub however this habitat has been put into the metric under habitat creation in tab 5. This needs to be removed from the metric and the proposals adjusted accordingly.

There is no issue with the inputting of the 52m² of other neutral grassland, this corresponds to the measurements on the Bin Store Proposals plan. See below.

Further net gains could be achieved by increasing the amount of wildflower area created.

CBC Ecologist 3

10th December 2024 –

My previous comments have been addressed in the updated small sites biodiversity metric (SSBM) (Alex Dallyn, Landscape Architect, November 2024) and the Biodiversity Net Gain (BNG) assessment report (MHP Design, November 2024).

The mandatory Biodiversity Net Gain (BNG) condition applies to this development. The BNG calculation is 129.99% gain in area habitat units (and a net gain in hedgerow units as none were present on the baseline prior to the works). This calculation is based on the creation of other neutral grassland in good condition. Good condition is unlikely to be achieved over 30-years for this habitat due to its location and the likelihood of disturbance during establishment. Moderate condition is a more realistic target for this habitat, therefore the SSBM and the Biodiversity Gain Plan required under the mandatory BNG condition should be updated to reflect this. A net gain over 10% will still be achieved on-site.

If the applicants view is to the contrary, this will only be supported if the areas of other neutral grassland creation can be fenced off to ensure no disturbance occurs during its establishment. If this measure is taken up, this must be shown in the Biodiversity Gain Plan and the long-term management plan.

As this development is subject to the mandatory BNG condition, the LEMP submitted (MHP Design, November 2024) must be updated to a BNG 30-year Habitat Management and Monitoring Plan (HMMP). This is conditioned below along with a landscaping plan.

The proposals are deemed to not be ‘significant’ gains in biodiversity according to the guidance provided by the Department for Environment, Food & Rural Affairs (DEFRA) (2024), therefore a S106 will not be required to secure the delivery of the measures outlined in the BNG Plan to be submitted post-determination.

See “significant on-site enhancements” workings from Cheltenham Borough Council below. This proposals’ assessment passes 2/5 of the “significant” criteria, therefore the proposals are not deemed to be significant.

“Significant” criteria 1-5 as per DEFRA guidance found: Make on-site biodiversity gains as a developer - GOV.UK	This development: 24/01520/FUL
<i>1. Habitats of medium or higher distinctiveness</i>	Yes, other neutral grassland
<i>2. Habitats of low distinctiveness which create a large number of biodiversity units relative to the biodiversity value of the site before development</i>	No
<i>3. Habitat creation or enhancement where distinctiveness is increased relative to the distinctiveness of the habitat before development</i>	Yes, other neutral grassland
<i>4. Areas of habitat creation or enhancement which are significant in area relative to the size of the development</i>	No
<i>5. Enhancements to habitat condition, for example from poor or moderate to good</i>	N/A

The BNG informative must be added to the decision notice of this planning application if it is deemed approved.

Condition: Habitat Management and Monitoring Plan (HMMP)

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

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

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

- (f) [HMMP] has been implemented; and
- (g) habitat creation and enhancement works as set out in the [HMMP] have been completed.

No operations shall take place until:

- (h) the habitat creation and enhancement works set out in the approved [HMMP] have been completed; and
- (i) a completion report, evidencing the completed habitat enhancements, has been submitted to, and approved in writing by the Local Planning Authority.

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

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

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

Soft Landscape Plan

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

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

Reason: to comply with the revised National Planning Policy Framework (NPPF, 2023). The NPPF states in paragraph 180 (d) on page 50 that "Planning policies and decisions should contribute to and enhance the natural and local environment by... minimising impacts on and providing net gains for biodiversity..." and in paragraph 185 (b) "To protect and enhance biodiversity and geodiversity, plans should...identify and pursue opportunities for securing measurable net gains for biodiversity".

GCC Highways Planning Liaison Officer

4th October 2024 -

Gloucestershire County Council, the Highway Authority acting in its role as Statutory Consultee has undertaken a full assessment of this planning application. Based on the appraisal of the development proposals the Highways Development Management Manager

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on behalf of the County Council, under Article 18 of the Town and Country Planning (Development Management Procedure)(England) Order, 2015 has no objection.

The justification for this decision is provided below.

The bin storage areas proposed do not directly restrict the public highway or any means of access currently available by foot or vehicle.

The Highway Authority therefore submits a response of no objection.

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Committee Officer Report

APPLICATION NO: 24/01872/FUL & LBC		OFFICER: Ms Lara Daniali
DATE REGISTERED: 11th November 2024		DATE OF EXPIRY: 6th January 2025 (LBC) 3rd March 2025 (FUL and EoT for LBC)
DATE VALIDATED: 11th November 2024		DATE OF SITE VISIT:
WARD: All Saints		PARISH:
APPLICANT:	Cheltenham Borough Council	
AGENT:		
LOCATION:	38 London Road Cheltenham Gloucestershire	
PROPOSAL:	Replacement of existing flat entrance to 38, 40, 42 and 46 London Road.	

RECOMMENDATION: Permit and Grant



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1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 Nos. 38, 40, 42, and 46 are part of a terrace of six houses constructed in 1816-17.
- 1.2 The site was listed in March 1955 (list entry number 1103817) and is located within the Sydenham character area of the central conservation area.
- 1.3 The proposal seeks to replace the existing flat entrances with fire-rated doors. A similar proposal was granted listed building consent in 2015 but the work was not carried out, and consent has now expired.
- 1.4 The applications are at planning committee as the applicant is Cheltenham Borough Council.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Airport Safeguarding over 45m
Conservation Area
Central Conservation Area
Listed Buildings Grade 2 star
Principal Urban Area

Relevant Planning History:

14/00288/LBC 26th March 2014 GRANT

Internal alterations involving the repositioning of a section of stud partition wall and installation of a new central heating system and external flue (RETROSPECTIVE APPLICATION)

15/01377/LBC 23rd October 2015 GRANT

Replacement of existing internal flat entrance doors (38,40,42, & 46 London Road - Flats 1-3)

16/01426/LBC 10th October 2016 GRANT

Minor interior alterations to include the removal of existing partition walls and insertion within new location. Work required in order to create a more improved living arrangement within the flat.

17/01564/LBC 8th March 2018 GRANT

Replacement of glass in sash windows with slim double glazed panes

20/00443/LBC 29th May 2020 GRANT

Patch repair front entrance zinc late steel roof, to include replacement of zinc steel rib supports and splicing in of any rotting timbers

24/01872/FUL PDE

Replacement of existing internal flat entrance to 38, 40, 42 and 46 London Road

24/02165/LBC 31st December 2024 DISPOS

The replacement of internal entrance non-fire rated timber/composite doors, flats 30, 40, 42, 46 London Road.

3. POLICIES AND GUIDANCE

National Planning Policy Framework (NPPF) 2024

Section 4 Decision-making

Section 16 Conserving and enhancing the historic environment

Adopted Cheltenham Plan Policies 2020

D1 Design

SL1 Safe and Sustainable Living

Joint Core Strategy (JCS) Policies 2017

SD4 Design Requirements
 SD8 Historic Environment
 SD14 Health and Environmental Quality

4. CONSULTATIONS

Building Control

10th January 2025 - This application will require Building Regulations approval. Please contact Cheltenham and Tewkesbury Building Control on 01242 264321 for further information.

5. PUBLICITY AND REPRESENTATIONS

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

5.1 15 letters were sent to the residents, a site notice was posted near the site, and an advertisement was placed in the Gloucestershire Echo.

5.2 No comments were received.

6. OFFICER COMMENTS

6.1 The key consideration for this application is the impact on Grade II* listed buildings.

6.2 The existing doors to the flats are modern, lacking special historic interest. The six panel design of the proposed doors is in keeping with the character of the historic buildings.

6.3 The proposal, therefore, sustains the significance of the heritage assets, aligning with policy SD8 of the JCS and section 16 of the NPPF.

6.4 Given the nature of the proposal, there will be no impact on the neighbouring amenity, and no concerns were raised by the residents.

6.5 Other considerations

Public Sector Equalities Duty (PSED):

6.6 As set out in the Equalities Act 2010, all public bodies, in discharging their functions must have “due regard” to this duty. There are three main aims:

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

6.7 Whilst there is no absolute requirement to fully remove any disadvantage the Duty is to have “regard to” and remove OR minimise disadvantage and in considering the merits of this planning application the planning authority has taken into consideration the requirements of the PSED.

6.8 In the context of the above PSED duties this proposal is considered to be acceptable.

7. CONCLUSION AND RECOMMENDATION

7.1 It is recommended to grant planning permission and listed building consent subject to the following conditions:

8. SUGGESTED CONDITIONS

24/01872/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.

24/01872/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 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 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.

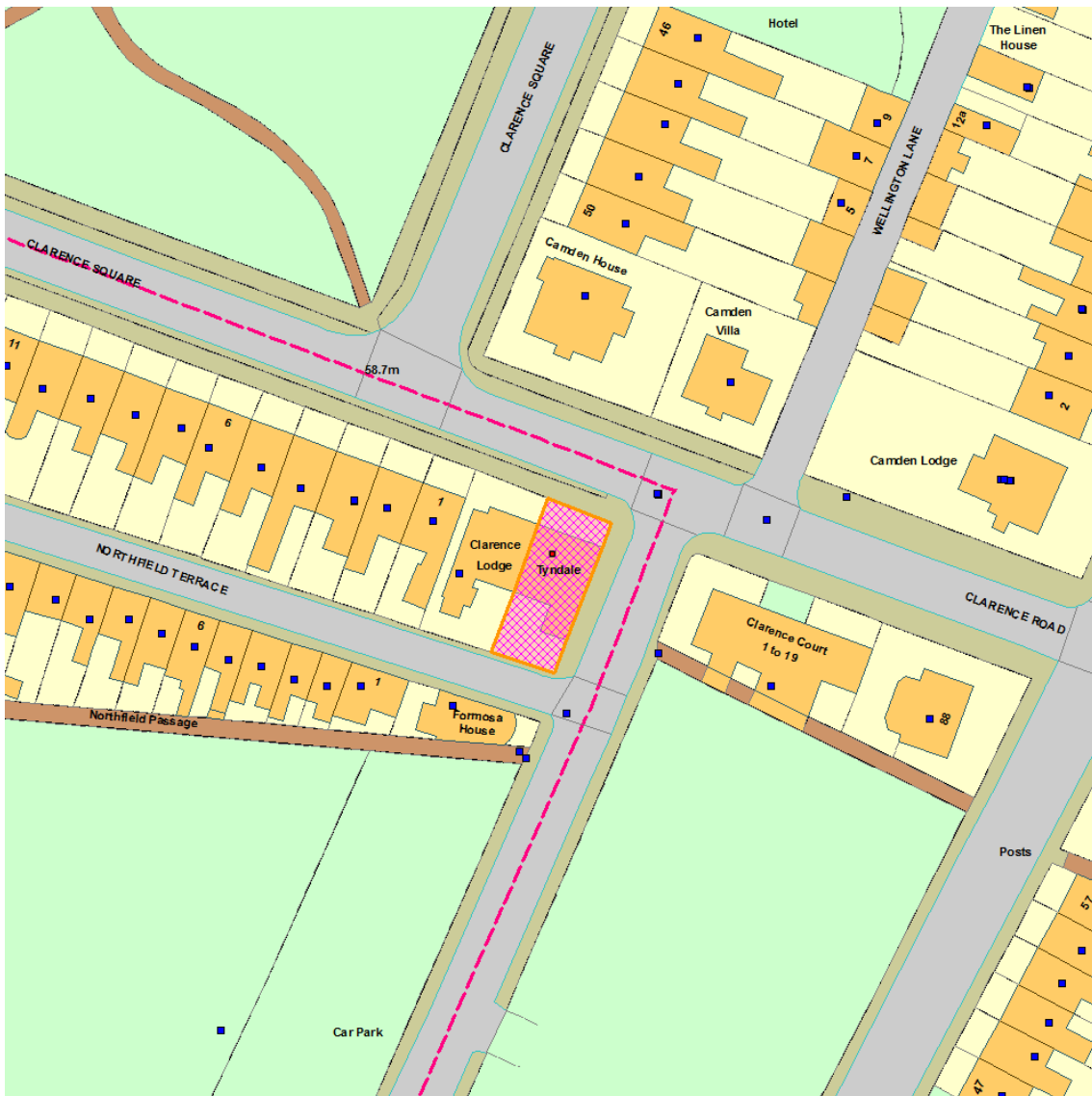
9. INFORMATIVE

1 You are reminded of the requirement to obtain Building Regulations approval.

Committee Officer Report

APPLICATION NO: 24/01877/FUL & LBC		OFFICER: Ms Lara Daniali
DATE REGISTERED: 11th November 2024		DATE OF EXPIRY: 6 th January 2025 (LBC) 3 rd March 2025 (FUL and EoT for LBC)
DATE VALIDATED: 11th November 2024		DATE OF SITE VISIT:
WARD: Pittville		PARISH:
APPLICANT:	Cheltenham Borough Council	
AGENT:		
LOCATION:	Tyndale Clarence Square Cheltenham	
PROPOSAL:	The replacement of internal entrance non-fire rated timber/composite doors.	

RECOMMENDATION: Permit and Grant



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1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 Tyndale is a semi-detached villa constructed in 1834.
- 1.2 The building was listed in March 1955 (list entry number 1386847) and is located within the Pittville character area of the central conservation area.
- 1.3 The proposal seeks to replace the existing flat entrances with fire-rated doors. A similar proposal was granted listed building consent in 2015, but the work was not carried out, and consent has now expired.
- 1.4 The applications are at planning committee as the applicant is Cheltenham Borough Council.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Airport Safeguarding over 45m
Article 4 Directions
Conservation Area
Central Conservation Area
HMO Restricted Area
Listed Buildings Grade 2
Principal Urban Area
Residents Associations
Smoke Control Order

Relevant Planning History:

15/01660/LBC 23rd October 2015 GRANT

Replacement of existing internal flat entrance doors (Flats 2,3,4)

21/01607/LBC INV

Replacement of existing non-fire related timber doors to flats 2, 3, and 4 Tyndale, Clarence Square

24/01877/FUL PDE

The replacement of internal entrance non-fire rated timber/composite doors.

3. POLICIES AND GUIDANCE

National Planning Policy Framework (NPPF) 2024

Section 4 Decision-making

Section 16 Conserving and enhancing the historic environment

Adopted Cheltenham Plan Policies 2020

D1 Design

SL1 Safe and Sustainable Living

Joint Core Strategy (JCS) Policies 2017

SD4 Design Requirements

SD8 Historic Environment

SD14 Health and Environmental Quality

4. CONSULTATIONS

Building Control

10th January 2025 - This application will require Building Regulations approval. Please contact Cheltenham and Tewkesbury Building Control on 01242 264321 for further information.

5. PUBLICITY AND REPRESENTATIONS

Number of letters sent	4
Total comments received	0
Number of objections	0
Number of supporting	0
General comment	0

- 5.1 Four letters were sent to the residents, a site notice was posted near the site, and an advertisement was placed in the Gloucestershire Echo.
- 5.2 No comments were received

6. OFFICER COMMENTS

- 6.1 The key consideration for this application is the impact on Grade II listed buildings.
- 6.2 The existing doors to the flats are modern, lacking special historic interest. The six panel design of the proposed doors is in keeping with the character of the historic buildings.
- 6.3 The proposal, therefore sustains the significance of the heritage assets, aligning with policy SD8 of the JCS and section 16 of the NPPF.
- 6.4 Given the nature of the proposal, there will be no impact on the neighbouring amenity, and no concerns were raised by the residents.
- 6.5 **Other considerations**
- 6.6 As set out in the Equalities Act 2010, all public bodies, in discharging their functions must have “due regard” to this duty. There are three main aims:
- Removing or minimising disadvantages suffered by people due to their protected characteristics;
 - Taking steps to meet the needs of people with certain protected characteristics where these are different from the needs of other people; and
 - Encouraging people with certain protected characteristics to participate in public life or in other activities where participation is disproportionately low.
- 6.7 Whilst there is no absolute requirement to fully remove any disadvantage the Duty is to have “regard to” and remove OR minimise disadvantage and in considering the merits of this planning application the planning authority has taken into consideration the requirements of the PSED.
- 6.8 In the context of the above PSED duties this proposal is considered to be acceptable.

7. CONCLUSION AND RECOMMENDATION

- 7.1 It is recommended to grant planning permission and listed building consent subject to the following conditions:

8. SUGGESTED CONDITIONS

24/01877/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.

24/01877/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 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 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.

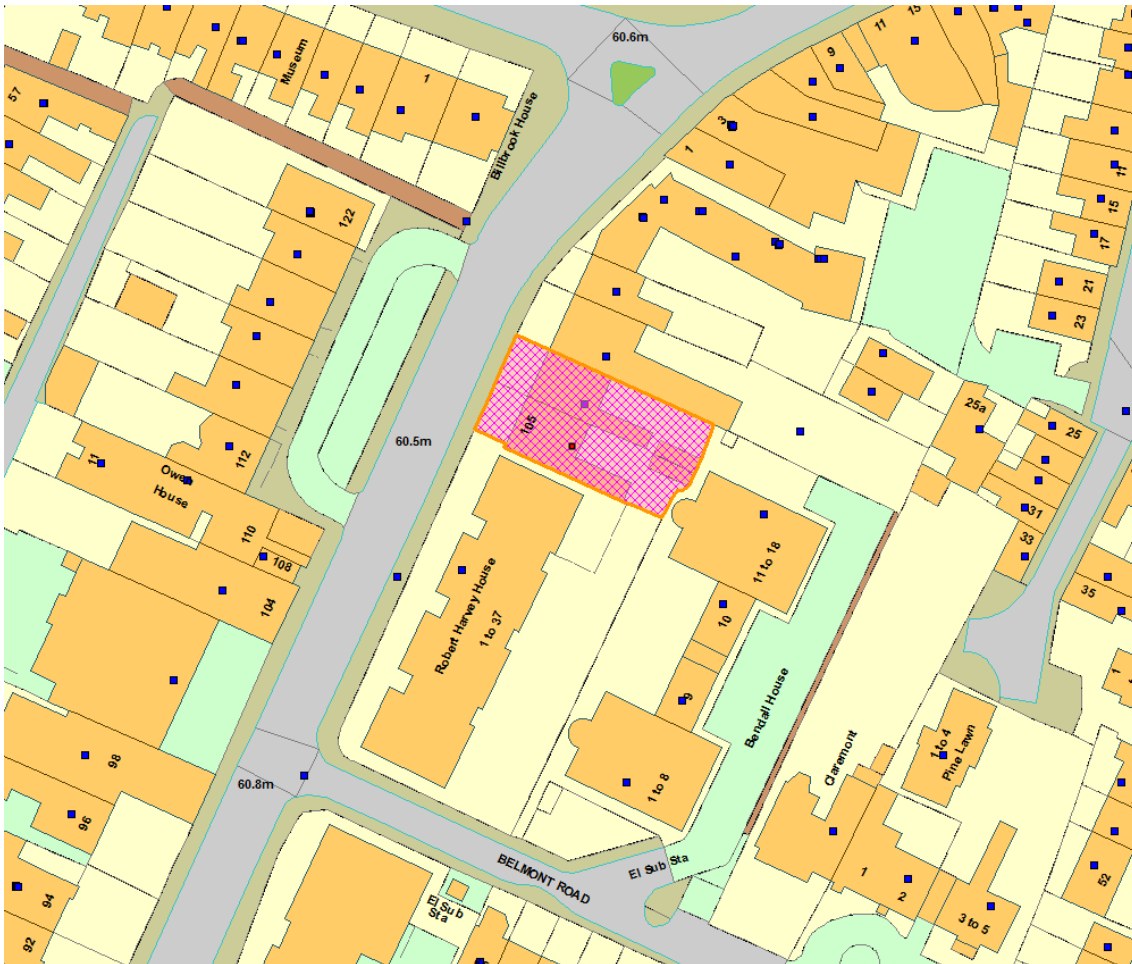
9. INFORMATIVE

- 1 You are reminded of the requirement to obtain Building Regulations approval.

Committee Officer Report

APPLICATION NO: 24/01876/FUL & LBC		OFFICER: Ms Lara Daniali
DATE REGISTERED: 11th November 2024		DATE OF EXPIRY: 6 th January 2025 (LBC) 3 rd March 2025 (FUL and EoT for LBC)
DATE VALIDATED: 11th November 2024		DATE OF SITE VISIT:
WARD: Pittville		PARISH:
APPLICANT:	Cheltenham Borough Council	
AGENT:		
LOCATION:	105 Winchcombe Street Cheltenham Gloucestershire	
PROPOSAL:	Replacement of existing internal flat entrance at 105 and 107 Winchcombe Street, flats B, C and D.	

RECOMMENDATION: Permit & Grant



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1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 Nos. 105 and 107 Winchcombe Street are a pair of terraced houses, converted into flats, constructed in 1820-30s.
- 1.2 The buildings were listed in March 1955 (list entry number 1388230) and is located within the Old Town character area of Cheltenham's central conservation area.
- 1.3 The proposal seeks to replace the existing flat entrances with fire-rated doors. A similar proposal was granted listed building consent in 2015 but the work was not carried out, and consent has now expired.
- 1.4 The proposal also involves replacement of the external door to 107 Winchcombe Street.
- 1.5 The applications are at planning committee as the applicant is Cheltenham Borough Council.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

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

Relevant Planning History:

15/01662/LBC 23rd October 2015 GRANT

Replacement of existing internal flat entrance doors (105 Winchcombe Street Flats B,C,D and 107 Winchcombe Street Flats B,C,D)

18/02419/LBC 22nd January 2019 WDN

Structural repair to brick vaults below rear access walkway

19/00131/FUL 21st March 2019 PER

Structural repair to brick vaults below rear access walkway

19/00131/LBC 21st March 2019 GRANT

Structural repair to brick vaults below rear access walkway

20/00035/LBC 24th June 2020 GRANT

105 and 107 Winchcombe - Re-roofing, render repairs to chimney stack, repairs to frontage, window repairs and internal plaster repairs/decoration and various internal structural repairs

20/01509/FUL 18th September 2020 NOTREQ

Installation of two box gutters to gable of 105 Winchcombe Street, and fittings of new lead valleys

20/01509/LBC 5th February 2021 GRANT

Installation of two box gutters to gable of 105 Winchcombe Street, and fitting of new lead valleys

21/02746/DISCON 14th December 2021 DISCHA

Discharge of conditions 5 of listed building consent 20/00035/LBC

24/01876/FUL PDE

The replacement of internal entrance non-fire rated timber/composite doors, flats 105 - 107 Winchcombe Street.

3. POLICIES AND GUIDANCE

National Planning Policy Framework (NPPF) 2024

Section 4 Decision-making

Section 16 Conserving and enhancing the historic environment

Adopted Cheltenham Plan Policies 2020

D1 Design

SL1 Safe and Sustainable Living

Adopted Joint Core Strategy (JCS) Policies 2017

SD4 Design Requirements

SD8 Historic Environment

SD14 Health and Environmental Quality

Supplementary Planning Guidance/Documents

Cheltenham's Regency Design Precepts

4. CONSULTATIONS

Gloucestershire Centre For Environmental Records

18th November 2024 - Report in documents tab.

Building Control

10th January 2025 - This application will require Building Regulations approval. Please contact Cheltenham and Tewkesbury Building Control on 01242 264321 for further information.

5. PUBLICITY AND REPRESENTATIONS

Number of letters sent	8
Total comments received	0
Number of objections	0
Number of supporting	0
General comment	0

5.1 8 letters were sent to the residents, a site notice was posted near the site, and an advertisement was placed in the Gloucestershire Echo.

5.2 No comments were received.

6. OFFICER COMMENTS

6.1 The key consideration for this application is the impact on Grade II listed buildings.

6.2 The existing doors to the flats are simple and modern, lacking special historic interest. The six panel design of the proposed doors is more in keeping with the character of the historic buildings. The proposal, therefore, enhances the significance of the heritage assets, aligning with policy SD8 of the JCS and section 16 of the NPPF.

6.3 The main entrance door to 107 Winchcombe Street matches regency designs with two reeded flush panels at the bottom and raised and fielded panels above although it appears to be modern replacement. The door positively contributes to the special architectural interest of the building and the streetscape.

6.4 In correspondence with the applicant, it has been indicated that the main entrance door will be replaced on a like-for-like basis. However, the submitted details do not illustrate a like-for-like design, leaving this aspect of the proposal ambiguous. As such, a condition has been attached to seek details of the external replacement door.

6.5 Given the nature of the proposal, there will be little to no impact on the neighbouring amenity, and no concerns were raised by the residents.

6.6 Other considerations

Public Sector Equalities Duty (PSED):

6.7 As set out in the Equalities Act 2010, all public bodies, in discharging their functions must have “due regard” to this duty. There are three main aims:

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

6.8 Whilst there is no absolute requirement to fully remove any disadvantage the Duty is to have “regard to” and remove OR minimise disadvantage and in considering the merits of this planning application the planning authority has taken into consideration the requirements of the PSED.

6.9 In the context of the above PSED duties this proposal is considered to be acceptable.

7. CONCLUSION AND RECOMMENDATION

7.1 It is recommended to grant planning permission and listed building consent subject to the following conditions:

8. SUGGESTED CONDITIONS

24/01876/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.

24/01876/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.

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- 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 first been submitted to and approved in writing by the Local Planning Authority:

- a) External door: to include samples or elevation drawing(s) at a scale of 1:10, indication of materials and specific finishes/colour.

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 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.

- 4 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 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. INFORMATIVES

- 1 You are reminded of the requirement to obtain Building Regulations approval.

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REPORT OF THE HEAD OF PLANNING ON PLANNING APPEALS

OVERVIEW

The purpose of this report is to provide Members of the Planning Committee with an overview of all planning appeals that have been received by the Council since the previous meeting of the Planning Committee. It further provides information on appeals that are being processed with the Planning Inspectorate and decisions that have been received.

RECOMMENDATION

To note the contents of the report.

Appeals Received

January/February 2025

Address	Proposal	Delegated or Committee Decision	Appeal Type	Anticipated Appeal Determination Date	Reference

Appeals being processed

Address	Proposal	Delegated/Committee Decision	Appeal Type	Outcome	Reference
129 - 133 Promenade Cheltenham Gloucestershire	Marquees at 129 - 131 Promenade.	N/A	Written representation	Not Decided	Enforcement ref: 23/00230/DCUA Appeal Ref: 24/00005/ENFAPP
8 Imperial Square Cheltenham	Installation of moveable planters.	Delegated Decision	Written representations	Not decided	Planning ref: 23/02152/CLPUD Appeal ref: 24/00012/PP1
14 Suffolk Parade Cheltenham Gloucestershire GL50 2AB	Proposed demolition of existing stores and officing at rear of 14 Suffolk Parade, and construction of detached 2 bedroom coach house dwelling (with pedestrian access off Daffodil Street)	Delegated Decision	Written representations	Not decided	Planning ref: 24/00079/FUL Appeal Ref: 24/00016/PP1

Little Duncroft Evesham Road Cheltenham Gloucestershire GL52 3JN	Change of use of garage building as a standalone residential property. Retention of external cladding, easterly facing window, roof lights and boundary fencing (part retrospective), (Resubmission of planning application 23/01739/FUL).	Committee Decision	Written Representation	Not Decided	Planning ref: 24/00471/FUL Appeal Ref: 24/00019/PP1
60 Severn Road Cheltenham Gloucestershire GL52 5PX	Two storey side extension, loft conversion, and front porch (revised scheme following refusal of application ref. 24/00909/FUL)	n/a	Written representation (Householder)	n/a	Planning ref: 24/01502/FUL Appeal Ref: 24/00020/PP1
Flat 3 6 Jenner Walk Cheltenham Gloucestershire GL50 3LD	Proposed replacement of existing timber windows with UPVC windows	n/a	Written representation	n/a	Planning ref: 24/00895/FUL Appeal Ref: 24/00021/PP1

70 Promenade Cheltenham Gloucestershire GL50 1LY	Erection of various signage (3no. logos, 1no. clock sign, 1no. door handle sign and 1no. projecting sign).	n/a	Written representations	n/a	23/01325/ADV and 23/01325/LBC Planning ref: 24/00022/LISTB1 24/00023/ADV1
9 Pumphreys Road Charlton Kings Cheltenham Gloucestershire GL53 8DD	Proposed two storey and single storey rear extension	n/a	Written representations (Householder)	n/a	Planning Ref: 24/01667/FUL Appeal Ref: 25/00001/PP1
3 Pittville Crescent Lane Cheltenham Gloucestershire GL52 2RA	Proposed wooden garden shed, and retention of new boundary fence (part retrospective)	n/a	Written representations (Householder)	n/a	Planning Ref: 24/00631/FUL Appeal ref: 25/00002/PP1
Holly Blue House London Road Charlton Kings Cheltenham Gloucestershire GL54 4HG	Proposed first-floor extension.	n/a	Written representations (Householder)	n/a	Planning Ref: 24/01692/FUL Appeal Ref: 25/00003/PP1
Little Duncroft Evesham Road Cheltenham Gloucestershire GL52 3JN	Unauthorised building and use	n/a	Written representations (Enforcement)	n/a	Enforcement Ref 24/00103/DCBPC Appeal Ref: 25/ not created.

Appeals Decided

Address	Proposal	Delegated/Committee Decision	Appeal Type	Outcome	Reference
Adey Innovation Ltd Gloucester Road	Demolition of the existing office building and erection of a 66 bedroom care home for older people (Use Class C2) including associated access, parking and landscaping.	Delegated Decision	Appeal Hearing (25.01.23)	Appeal Allowed	Planning ref: 21/02700/FUL Appeal Ref: 22/00027/PP1
The Hayloft The Reddings	Conversion of the existing dwellinghouse into 9 self-contained apartments, and associated works	Committee Decision	Written Representation	Appeal Allowed	Planning ref: 22/00749/FUL Appeal Ref: 22/00028/PP1

159 High Street	Proposed installation of 1no. new BT Street Hub, incorporating 2no. digital 75" LCD advert screens, plus the removal of associated BT kiosk(s) on Pavement Of Winchcombe Street Side Of Hays Travel 159 High Street	Delegated Decision	Written Representation	Appeal A and Appeal B Dismissed	Planning ref: 22/00322/ADV and FUL Appeal ref:22/00021/PP1 and 22/00022/ADV1
3 Apple Close, Prestbury	Replacement of existing conservatory with single storey rear extension. Increase in ridge height to facilitate loft conversion with rear dormer.	Delegated Decision	Written Representation	Appeal Allowed	Planning ref: 22/01145/FUL Appeal Ref: 23/00003/PP1

37 Market Street	Proposed side and rear extensions (revised scheme following refusal of application ref. 21/02361/FUL	Committee Decision	Written representations	Appeal Allowed Appeal Costs (Allowed)	Planning Ref: 22/00708/FUL Appeal Ref: 23/00004/PP1
Brecon House Charlton Hill Cheltenham Gloucestershire GL53 9NE	Construction of a paragraph 80 dwelling, estate management building, and associated landscaping, ecology enhancements,	Committee Decision	Appeal Hearing (date 22/03/23)	Appeal Hearing Dismissed	Planning ref: 21/02755/FUL Appeal ref: 23/00001/PP1
30 St Georges Place	Conversion to form 7no. dwellings, together with extensions and construction of new mansard roof	Delegated Decision	Written representations	Appeal Allowed	Planning ref: 22/00839/FUL appeal ref: 23/00002/PP1

10 Suffolk Road	First floor extension at rear of 10 Suffolk Road on top of existing kitchen roof, comprising of 1 new bedroom and ensuite bathroom (revised scheme 22/00966/FUL)	Delegated Decision	Written Representations Householder Appeal	Appeal Dismissed	Planning ref: 22/01340/FUL Appeal ref: 23/00011/PP1
101 Ryeworth Road	Erection of two storey and single storey rear extensions and single storey front extension.	Non-Determination	Written Representation	Appeal Dismissed	Planning ref: 22/01162/FUL Appeal Ref: 23/00006/PP2

o/s 195 High Street Cheltenham	Proposed installation of 1no. new BT Street Hub, incorporating 2no. digital 75" LCD advert screens, plus the removal of associated BT kiosk(s)	Delegated Decision	Written Representation	Appeal A Dismissed Appeal B Dismissed	Planning Ref: 22/00328/ADV and FUL Appeal Ref: 23/00013/PP1 23/00014/ADV1
o/s 23 and 23 A Pittville Street	Proposed installation of 1no. new BT Street Hub, incorporating 2no. digital 75" LCD advert screens,	Delegated Decision	Written representation	Appeal A Dismissed Appeal B Dismissed	Planning ref: 22/00326/ADV and FUL Appeal Ref: 23/00015/PP1 23/00016/ADV1
St Edmunds, Sandy Lane Road	Conversion and extension of an existing coach house/garage to a single dwelling with new access off Sandy	Delegated Decision	Written Representation	Appeal Decision Dismissed Cost Decision Dismissed	Planning ref: 22/02064/FUL Appeal Ref: 23/00008/PP1

Telecommunications Mast And Cabinet CLM26321 Glenfall Way	Proposed 5G telecoms installation: H3G 16m street pole and additional equipment cabinets	Delegated Decision	Written Representation	Appeal Dismissed	Planning ref: 22/02190/PRIOR Appeal Ref: 23/00018/PP1
4 Dymock Walk	Application for prior approval for the construction of one additional storey atop the existing dwelling (increase in height of 2.13 metres)	Delegated Decision	Written representation (Householder)	Appeal Dismissed	Planning ref: 22/01075/FUL Appeal ref: 23/00019/PP1
28 Westdown Gardens	Erection of detached garage (revised scheme to ref: 21/01789/FUL)	Delegated Decision	Written Representations Householder Appeal	Appeal Dismissed	Planning ref: 22/01679/FUL Appeal ref: 23/00012/PP1
129 – 133 Promenade	Retention of existing temporary marquees at 125, 127, 129, 131 further two year period and 133 Promenade,	Committee Decision	Written representation	Appeal Dismissed	Planning ref: 22/01373/FUL Appeal Ref: 23/00007/PP1

4 Red Rower Close	Two storey and single storey extension to the front and loft extension and dormer	Delegated Decision	Written representation	Appeal Dismissed	Planning Ref: 23/00361/FUL Appeal Ref: 23/00021/PP1
Land Adjoining Leckhampton Farm Court Farm Lane Leckhampton Cheltenham Gloucestershire	Residential development of 30 no. dwellings (Class C3); vehicular, pedestrian and cycle access from Church Road; pedestrian and cycle access from Farm Lane; highways improvement works; public open space,	Delegated Decision	Appeal Hearing (Date of hearing 18 th July 2023 (rescheduled for 12th July 2023))	Appeal Allowed	Planning Ref: 21/02750/FUL Appeal Ref: 23/00010/PP1
53 Alstone Lane	Erection of a single storey dwelling on land to rear of the existing property	Delegated Decision	Written representation	Appeal Dismissed	Planning ref: 22/02201/FUL Appeal ref: 23/00017/PP1
201 Gloucester Road	Installation of raised, split level patio area with boundary	Delegated Decision	Written representation	Appeal allowed	Planning Ref: 22/00022/PP1 Appeal ref: 23/00022/PP1

	treatments (Retrospective).				
8 Imperial Square	Proposed change of use from C3 (dwelling house) to mixed use of C1 (hotel) and E (bar and restaurant).	Delegated Decision	Written representation	Appeal allowed	Planning ref: 22/00334/COU Appeal ref: 23/00009/PP3
Land Adj Oakhurst Rise	Outline application for residential development of 25 dwellings - access, layout and scale not reserved for subsequent approval	Committee Decision	Written representation	Appeal Dismissed	Planning ref: 22/00112/OUT Appeal Ref 23/00020/PP1
Telecommunications Mast And Cabinet CLM24981 Princess Elizabeth Way	Proposed 5G telecoms installation: H3G 20m street pole and additional equipment cabinets	Delegated Decision	Written representation	Appeal Dismissed	Planning ref: 22/01937/PRIOR Appeal ref: 23/00026/PP1

6 Marsh Lane	Change of use from a single dwelling (Class C3) to a four bed House in Multiple Occupation (HMO) (Class C4)	Delegated Decision	Written Representation	Appeal Allowed Costs Decision Allowed	Planning Ref: 22/01864/COU Appeal Ref: 23/00027/PP1
Telecommunications Mast And Cabinet Prestbury Road Cheltenham Gloucestershire	Proposed 5G telecoms installation: H3G 15m street pole and additional equipment cabinets	Delegated Decision	Written representation	Appeal Dismissed	Planning Ref: 23/00431/PRIOR Appeal Ref: 23/00029/PP1
218 High Street	Change of use of the ground floor from a retail unit (Class E) to an Adult Gaming Centre (Sui Generis) and first floor to associated storage and staff area with external alterations and associated works	Delegated Decision	Written representation	Appeal Allowed	23/00452/COU Appeal Ref: 23/00028/PP1

1 Michaelmas Lodge Lypiatt Terrace Cheltenham	Use of area of land for vehicle parking	Delegated Decision	Written Representation	Appeal Allowed	Planning ref: 23/00262/Cleud Appeal Ref: 23/00023/PP1
Land at Shurdington Rd	Full planning application for residential development comprising 350 dwellings, open space, cycleways, footpaths, landscaping, access roads and other	Committee Decision	Written Representation (New procedure Change now a hearing date is 4th July 2023)	Appeal Allowed	Planning ref: 20/01788/FUL Appeal ref: 23/00005/PP1
10 Selkirk Street	Erection of 1no. three storey self-build dwelling on land adjacent to 10 Selkirk Street	Committee Decision	Written representation	Appeal Dismissed	Planning Ref 22/01441/FUL Appeal Ref: 23/00030/PP1

<p>Eagle Star Tower Montpellier Drive Cheltenham Gloucestershire</p>	<p>Application seeks confirmation that works undertaken in accordance with a previously approved change of use under Class J, Part 3, Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 ref: 15/01237/P3JPA enables the rest of the conversion to lawfully continue at any stage</p>	<p>Delegated Decision</p>	<p>Written Representation</p>	<p>Appeal Dismissed</p>	<p>Planning Ref: 23/01347/CLPUD Appeal ref: 23/00031/PP1</p>
<p>12 Pilford Road Cheltenham</p>	<p>Erection of a Garden Room</p>	<p>n/a</p>	<p>Written Representation (Enforcement)</p>	<p>Appeal Dismissed</p>	<p>Planning ref: 23/00001/DCUA Appeal ref: 23/00025/ENFAPP</p>

<p>Harwood House 87 The Park Cheltenham Gloucestershire GL50 2RW</p>	<p>Proposed replacement of brick boundary wall with an overlap wooden feather-edge fence (retrospective)</p>	<p>Delegated Decision</p>	<p>Written Representation</p>	<p>Appeal Dismissed</p>	<p>Planning ref:23/00929/FUL Appeal ref: 24/00010/PP1</p>
<p>44 Springfield Close The Reddings Cheltenham Gloucestershire GL51 6SF</p>	<p>A wooden 1 metre tall front fence with open slats around front garden with a post sheath on corner to prevent possible damage and reflectors put on posts to add awareness. (Retrospective) Resubmission of 23/01086/FUL</p>	<p>Delegated Decision</p>	<p>Written Representation</p>	<p>Appeal Dismissed</p>	<p>Planning ref: 23/01566/FUL Appeal Ref: 24/00008/PP1</p>

<p>Hilltop Stores Hilltop Road Cheltenham</p>	<p>Demolition of existing retail unit and erection of 2no. dwellings (revised scheme following withdrawal of application ref. 22/01728/FUL)</p>	<p>Delegated Decision</p>	<p>Written Representation</p>	<p>Appeal Dismissed Costs Application Dismissed</p>	<p>Planning ref: 23/01137/FUL Appeal ref: 24/00007/PP1</p>
<p>278 Old Bath Road</p>	<p>Dropped kerb to provide access from Kenneth Close, and hard standing to facilitate off street parking (Resubmission of planning ref: 23/00481/FUL)</p>	<p>Delegated Decision</p>	<p>Written Representation</p>	<p>Appeal Dismissed</p>	<p>Planning ref: 23/02056/FUL Appeal ref: 24/00009/PP1</p>

21 Glebe Road Prestbury Cheltenham Gloucestershire GL52 3DG	First floor side extension to provide additional bedroom and bathroom accommodation, and alterations to existing dormer (revised scheme following refusal of application ref: 23/01186/FUL)	Delegated Decision	Written Representation	Appeal Dismissed	Planning ref: 23/02033/FUL Appeal ref: 24/00011/PP1
3 Rotunda Tavern Montpellier Street	Retention of temporary canopy structure for two years	Delegated Decision	Written Representation	Appeal Dismissed	Planning Ref: 22/01681/FUL Appeal Ref: 24/00002/PP1
1 Coltham Fields Cheltenham Gloucestershire GL52 6SP	Erection of 1no. two storey dwelling on land adjacent 1 Coltham Fields	Delegated Decision	Written Representation	Appeal Dismissed	Planning ref: 23/00596/FUL appeal ref: 24/00006/PP1
22 Dinas Road Cheltenham Gloucestershire GL51 3EW	Proposed installation of a static home at rear of property.	Delegated Decision	Written Representation	Appeal Dismissed	Planning ref: 24/00637/FUL Appeal Ref: 24/00015/PP1
Stansby House The Reddings Cheltenham Gloucestershire GL51 6RS	Erection of 2no. detached dwellings following demolition of existing buildings	Delegated Decision	Written Representation	Appeal Dismissed	Planning ref: 23/01538/FUL Appeal Ref: 24/00013/PP1

The Forge, Branch Road, The Reddings	Use of land as a caravan site without restriction as to layout or numbers of caravans. (Revised application to 23/00936/CLEUD)	Delegated Decision	Written representation	Appeal Allowed Costs Appeal Allowed	Planning ref: 23/01678/CLEUD appeal ref: 24/00001/PP1
3 Regent Street Cheltenham Gloucestershire GL50 1HE	Retain existing exterior facade paint colour. (Retrospective)	Delegated Decision	Written Representation	Appeal Dismissed	Planning ref: 24/00271/LBC appeal ref: 24/00014/PP1
78 Hewlett Road Cheltenham Gloucestershire GL52 6AR	Steps to be built from basement level to current garden level, change rear sash window for french doors.	Delegated Decision	Written representation	Appeal A and B Dismissed	Planning Ref: 24/00440FUL and LBC Appeal Ref: 24/00017/PP1 and 24/00018/LISTB1

REPORT OF THE HEAD OF DEVELOPMENT MANAGEMENT, ENFORCEMENT AND COMPLIANCE ON PLANNING APPEALS AND LEGAL CHALLENGES

LEGAL CHALLENGES

Address	Description	Reference	Reason
Telecommunications Mast Site CLM26627 Lansdown Road Cheltenham Gloucestershire	Installation of 15m pole inc. antennas, ground based apparatus and ancillary development	23/00551/PRIOR	Alleged lack of consideration of health grounds in granting Prior Approval

Authorised By: Chris Gomm 4th February 2025

Application No.	Appeal Ref	Site Address	Appeal Type	Start Date	Questionnaire	Statement	Final Comments	Decision	Date of Decision	Costs Deci	Hearing Date	Costs awarded
23/01678/CLEUD	24/00001/PP1	The Forge Branch Road	Written	03.01.2024	17.01.2024	06.02.2024		Allowed	19.12.2024	Allowed		
22/01681/FUL	24/00002/PP1	Rotunda Tavern 3 Montpellie	Written	05.02.2024	12.02.2024	11.03.2024	25.03.2024	Dismissed	11.07.2024	n/a		
	24/00003/ENFAPP	System Error	System Error									
	24/00004/ENFAPP	System Error	System Error									
23/00230/DCUA	24/00005/ENFAPP	125 - 133 Promenade	Written	22.02.2024	07.03.2024	04.04.2024	25.04.2024					
23/00596/FUL	24/00006/PP1	Land Adj to 1 Coltham Fields	Written	05.03.2024	12.03.2024	09.04.2024	23.04.2024	Dismissed	19.07.2024			
23/01137/FUL	24/00007/PP1	Hilltop Stores, Hilltop Road	Written	13.03.2024	20.03.2024	17.04.2024	01.05.2024	dismissed	10.06.2024	Refused		
23/01566/FUL	24/00008/PP1	44 Springfield Close	Written	25.03.2024	01.04.2024			dismissed	13.05.2024			
23/02056/FUL	24/00009/PP1	278 Old Bath Road	Written	11.04.2024	18.04.2024			dismissed	18.06.2024			
23/00929/FUL	24/00010/PP1	Harwood House, 87 The Parl	Written	11.04.2024	18.04.2024			dismissed	08.05.2024	n/a		
23/02033/FUL	24/00011/PP1	21 Glebe Road, Cheltenham,	Written	12.04.2024	19.04.2024			dismissed	19.06.2024			
23/02152/CLPUD	24/00012/PP1	8 Imperial Square, Cheltenham	Written	07.05.2024	21.05.2024	18.06.2024	09.07.2024					
23/01538/FUL	24/00013/PP1	Stansby House, The Redding	Written	12.06.2024	19.06.2024	17.07.2024	31.07.2024	Dismissed	26.09.2024			
24/00271/LBC	24/00014/PP1	3 Regent Street, Cheltenham	Written	19.06.2024	26.06.2024	24.07.2024	07.08.2024	Dismissed	20.12.2024			
23/00637/FUL	24/00015/PP1	22 Dinas Road, Cheltenham, Householder		08/07/2024	15/07/2024			Dismissed	25.09.2024			
24/00079/FUL	24/00016/PP1	14 Suffolk Parade	Written	21.08.2024	28.08.2024	25.09.2024	09.10.2024					
24/00440/FUL	24/00017/PP1	78 Hewlett Road	Written	19.09.2024	26.09.2024	24.10.2024	07.11.2024	Dismissed	20.12.2024			
24/00440/LBC	24/00018/LISTB1	78 Hewlett Road	written	19.09.2024	26.09.2024	24.10.2024	07.11.2024	Dismissed	20.12.2024			
24/00471/FUL	24/00019/PP1	Little Duncroft, Evesham Roæ	Written	26.09.2024	03.10.2024	31.10.2024	14.11.2024					
24/01502/FUL	24/00020/PP1	60 Severn Road, Cheltenham	HAS	20.11.2024	27.11.2024							
24/00895/FUL	24/00021/PP1	Flat 3, 6 Jenner Court	Written	26.11.2024	03.12.2024	03.01.2024	17.01.2024					
23/01325/LBC	24/00022/LISTB1	70 Promenade Cheltenham	Written	04.12.2024	11.12.2024	08.01.2025	22.01.2025					
23/01325/ADV	24/00023/ADV1	70 Promenade Cheltenham	Written	04.12.2024	11.12.2024	08.01.2025	22.01.2025					

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Application No.	Appeal Ref	Site Address	Appeal Type	Start Date	Questionnaire	Statement	Final Comments	Decision
24/01667/FUL	25/00001/PP1	9 Pumphreys Road	HAS	07.01.2025	14.01.2025	n/a	n/a	
24/00631/FUL	25/00002/PP1	3 Pittville Crescent Lane	HAS	16.01.2025	23.01.205	n/a	n/a	
24/01692/FUL	25/00003/PP1	Holly Blue House	HAS	21.01.2025	28.01.2025	n/a	n/a	

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