

<b>APPLICATION NO:</b> 14/00177/FUL & LBC	<b>OFFICER:</b> Mrs Emma Pickernell
<b>DATE REGISTERED:</b> 14th February 2014	<b>DATE OF EXPIRY:</b> 11th April 2014
<b>WARD:</b> Park	<b>PARISH:</b>
<b>APPLICANT:</b>	Mr & Mrs O Morgan
<b>AGENT:</b>	DJ Planning
<b>LOCATION:</b>	7 Ashford Road, Cheltenham
<b>PROPOSAL:</b>	Installation of full height glazed patio doors at lower ground floor level on rear elevation

**RECOMMENDATION:** Refuse



## 1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The application site is a mid-terrace Grade II listed building on the south side of Ashford Road, between the junctions with Park Place and Painswick Road. It is located within The Park character area of the central conservation area.
- 1.2 At present on the rear elevation at lower ground floor level there are double doors and a casement window. Planning permission and listed building consent are sought for the enlargement of the existing opening and to install three pane – bi-folding doors.
- 1.3 The application has been amended since its original submission to omit one of the four originally proposed panes.
- 1.4 The application is before planning committee at the request of Cllr Garnham who states: *“Given that revised drawings have been submitted, in line with the request not to be full width, but that Conservation are still not happy, then I think a committee hearing would be preferable.”*

## 2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

### **Constraints:**

Conservation Area  
Listed Buildings Grade 2

### **Relevant Planning History:**

**99/00133/PF 11th March 1999 PER**  
Erection of Wrought Iron Railings Height 1225mm.

**99/00140/LA 11th March 1999 PER**  
Erection of Railings.

**99/00472/LA 17th June 1999 PER**  
New Doorway, Replacement Window and Enlarged Opening to Wall in Basement

**14/00177/LBC PDE**  
Installation of full height glazed patio doors at lower ground floor level on rear elevation

## 3. POLICIES AND GUIDANCE

### Adopted Local Plan Policies

CP 3 Sustainable environment  
CP 4 Safe and sustainable living  
CP 7 Design  
BE 9 Alteration of listed buildings

### Supplementary Planning Guidance/Documents

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

### National Guidance

National Planning Policy Framework

## 4. CONSULTATIONS

### Heritage and Conservation

*6th March 2014*

#### Analysis of Site:

This property was listed in December 1983. It is one of a terrace of houses built c 1830. The existing French doors replaced a window approved in 1999.

#### Comments:

- This proposal to provide a patio door with bi-fold doors which extends across most of the rear elevation causes the loss of a significant area of the original rear wall to the building at the basement level. There is no justification submitted that reasonably satisfies conditions (a) and (b) of Policy BE9 of the Adopted Cheltenham Borough Local plan.
- It is noted that various walls within the basement have been removed. No consent has been identified which relates to this work.

#### CONCLUSION: Refuse

7 Ashford Road is a grade II listed building of architectural and historic importance. The proposed full height glazed patio doors by virtue of the loss of historic fabric, would harm the character, appearance and setting of the listed building. Accordingly, the proposals are contrary to sections 16(2) and of the Planning (Listed Buildings & Conservation Areas) Act 1990, national policy set out in the NPPF and in the PPS5 (Planning for the Historic Environment) and policy BE 9 of the Adopted Cheltenham Borough Local plan.

*26th March 2014*

(following receipt of revised plans)

#### Analysis of Site:

This property was listed in December 1983. It is one of a terrace of houses built c 1830. The existing French doors replaced a window approved in 1999.

#### Comments:

- This revised proposal provides a patio door with three bi-fold doors which extends across the rear elevation causing the loss of a significant area of the original rear wall to the building at the basement level.
- The proposal also adversely affects the special character and appearance of the rear elevation of the building by virtue of its width, height and overall appearance. It is significantly out of character with the current door which is set within the width of the original basement window opening which is narrower than the windows in the upper storeys.
- There is no justification submitted that reasonably satisfies conditions (a) and (b) of Policy BE9 of the Adopted Cheltenham Borough Local plan.
- It is noted that various walls within the basement have been removed. No consent has been identified which relates to this work.

#### CONCLUSION: Refuse

7 Ashford Road is a grade II listed building of architectural and historic importance. The proposed full height glazed patio doors by virtue of the loss of historic fabric and its design, would harm the character, appearance and setting of the listed building. Accordingly, the proposals are contrary to sections 16(2) and 66(1) of the Planning (Listed Buildings & Conservation Areas) Act 1990, national policy set out in the NPPF and in the PPS5 (Planning for the Historic Environment) and policies CP7 and BE 9 of the Adopted Cheltenham Borough Local plan.

## 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 The application was publicised by way of letters to 4 neighbouring properties, a site notice and a notice in the paper. No representations have been received.

## 6. OFFICER COMMENTS

### 6.1 Determining Issues

The key issues in determining these applications are considered to be (i) impact on listed building and (ii) impact on neighbouring properties.

### 6.2 The site and its context

The site is within a row of similar properties, most of which are listed.

### 6.3 Impact on Listed Building

As detailed above, concern has been raised by the conservation officer in relation to the impact that the proposal has upon this listed building. The proposal is considered to result in an unacceptable loss of historic fabric and to be of an inappropriate design. A recommendation to refuse the application has been made. The proposal is considered to be contrary to policy CP7 of the Adopted Local Plan which states that alterations to existing buildings should avoid causing harm to the architectural integrity of the building. It is also contrary to policy BE9 which states that external alterations to listed buildings which would adversely affect their character will not be permitted except in exceptional circumstances. It is also contrary to advice contained in chapter 12 of the NPPF and within the Practice Guide accompanying PPS5, which is still current.

### 6.4 Impact on neighbouring property

The proposed doors are in the rear elevation where there are currently openings. It is not considered that the proposal will have any material impact upon the amenity of neighbouring properties. As such in this regard the proposal is in accordance with policy CP4 of the Adopted Local Plan.

## **7. CONCLUSION AND RECOMMENDATION**

- 7.1 The proposal is considered to result in unacceptable harm to the listed building and there is no overriding public benefit brought about by the proposal which might outweigh the harm which has been identified. As such the application is recommended for refusal for the following reason.

## **8. REFUSAL REASON** for FUL and LBC applications

7 Ashford Road is a Grade II listed building of architectural and historic importance. The proposed full height glazed patio doors, by virtue of loss of historic fabric, and their design, would be harmful to the character and appearance of the listed building. As such the proposals are contrary to sections 16 (2) and 66 (1) of the Planning (Listed Building and Conservation Areas) Act 1990, national policy set out in the NPPF, the PPS5 Practice Guide and policies CP7 and BE9 of the Adopted Cheltenham Borough Local Plan.

## **INFORMATIVE**

- 1 In accordance with the requirements of The Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012 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 which has been identified.

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