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| APPLICATION NO: 14/00297/FUL | | OFFICER: Mrs Lucy White | |
| DATE REGISTERED: 7th March 2014 | | DATE OF EXPIRY: 2nd May 2014 | |
| WARD: St Pauls | | PARISH: | |
| APPLICANT: | Mr Martin Burnett | | |
| AGENT: | No agent used | | |
| LOCATION: | 25 Bennington Street, Cheltenham | | |
| PROPOSAL: | Replacement of existing shopfront and door with timber sliding sash window and timber entrance door | | |

Update to Officer Report

1. OFFICER COMMENTS

1.1. The applicant has submitted a set of photographs with accompanying explanatory text, received by the Council on 23rd April 2014. These photographs will be on display at the Committee meeting on 25th April. The photographs are examples of properties where an existing shop front has been recently replaced with a window opening and all are located within a conservation area.

1.2. Officers have looked at the planning history of the three properties and comment as follows:-

- Top two photographs (former turf accountants on corner of Portland Place – Pittville). Planning permission was granted in 2013 for the change of use from a bookmakers (A2) to form 2 no. self contained flats (C3) (Planning ref 13/00107/COU). Although the submitted drawings are annotated that replacement and new windows on the ground and first floors would be UPVC, a condition was added to ensure that all new window frames would be constructed in timber and comprise sliding sashes in reveals of 100mm from the face of the building. The new UPVC windows installed in this building are therefore unauthorised.

Members should note that there was not an existing shopfront on the ground floor of this building, only a customer entrance door on the corner with two blind windows either side.

- Middle photograph (6 Shurdington Road – Leckhampton). Planning permission was granted in 2013 for the change of use from A2 (recruitment agency) to a single dwelling (planning ref 13/00941/COU). The approved drawings are annotated that the ground floor new sash window shall match the existing terrace

(in scale and design). Timber windows were not requested by Officers; although the building is located within the conservation area, it was considered unreasonable in this instance to insist upon a timber window on the ground floor where there were existing UPVC windows above.

The property is listed in the Civic Society's Shopfront Survey carried out in 1989 but falls within category X of the Survey, which identifies those shopfronts as being 'not quite good enough' to be included and worthy of protection.

Further, whilst the original shopfront was old and of traditional appearance, this building was originally constructed as a dwelling and not for commercial use.

- The bottom photograph is the Old Post Office, 19 Lyefield Road West. Planning permission was granted last year for the change of use from A1 shop to a single dwelling (planning ref 13/01907/FUL). Again, this property was originally constructed as a dwelling and is semi-detached. There were no external alterations proposed as part of this application; it was simply a change of use of the property. Therefore, the removal of the shopfront and the new UPVC bay window installed on the ground floor are unauthorised works to this building.

1.3. The Enforcement Team has been notified of the above breaches in planning control which will be investigated accordingly.

1.4. The applicant also refers to the recent amendments to Planning Legislation which effect permitted development. From the 6th April 2014, planning permission is no longer required for the change of use from A1 (retail) to a single dwelling and this includes any building operations reasonably necessary to convert the building. However, properties in Conservation Areas are excluded from this permitted change.