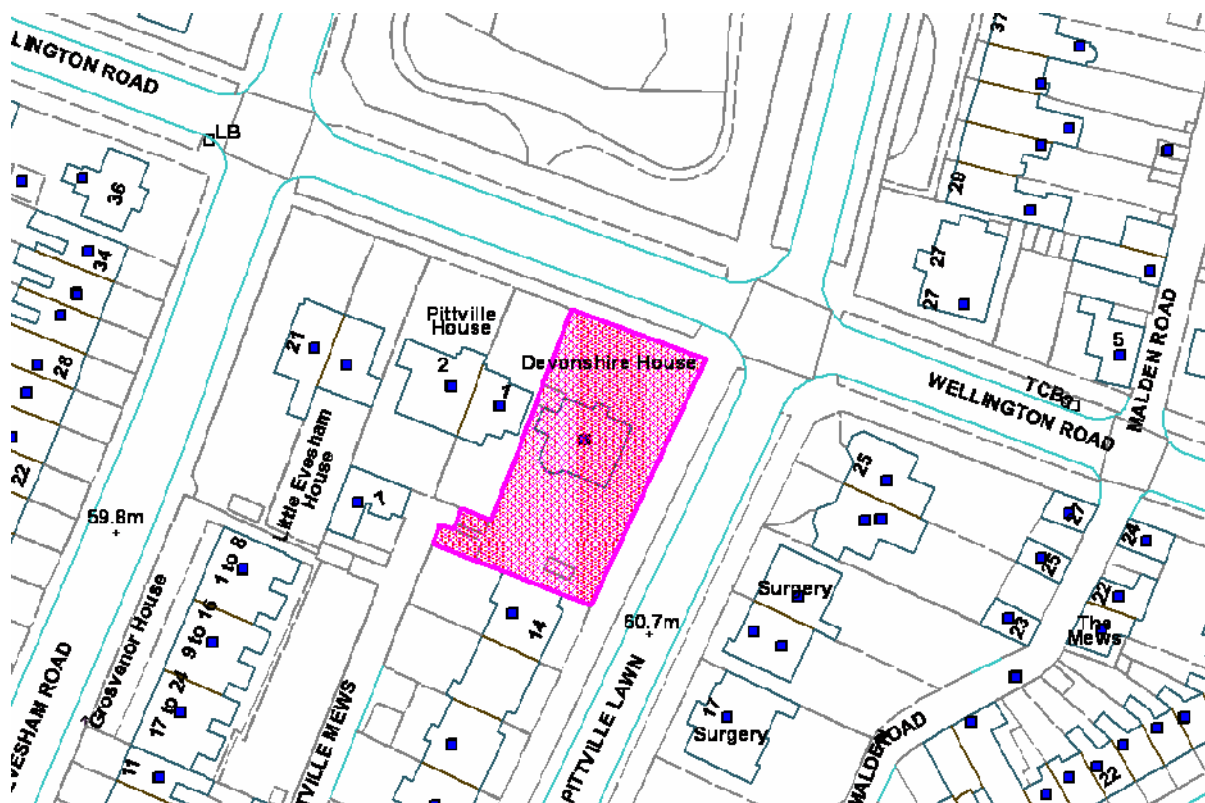


APPLICATION NO: 14/00415/FUL & 14/00415/LBC		OFFICER: Mr Martin Chandler
DATE REGISTERED: 3rd April 2014		DATE OF EXPIRY: 29th May 2014
WARD: Pittville		PARISH: Leckhampton With Warden Hill
APPLICANT:	Ms L Shortland & Mr D Snowdon	
AGENT:	DJ Planning	
LOCATION:	Devonshire House, Wellington Road, Cheltenham	
PROPOSAL:	Part demolition of existing outbuildings and rebuilding to provide garaging/workshop/bike store with new ancillary living accommodation at first floor	

RECOMMENDATION: Permit and Grant



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1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The applications propose the part demolition of existing outbuildings to the rear of Devonshire House, a Grade II listed villa, and rebuilding work to provide storage accommodation at ground floor level (garage, workshop and bike store) together with new ancillary living accommodation at first floor level.
- 1.2 The existing structures are single storey in height, faced in brick and painted brick with flat roofs (the northernmost building has a very gentle mono-pitch roof). They are accessed from Pittville Mews, an access road which serves a number of properties which front on to both Pittville Lawn and Evesham Road.
- 1.3 The application site is located within the central conservation area.
- 1.4 The applications are before committee at the request of Cllr Prince to allow members to consider the impact on neighbouring amenity as well as traffic concerns.
- 1.5 Members will visit the site on planning view.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Conservation Area
Listed Buildings Grade 2
Smoke Control Order

Relevant Planning History:

03/00173/LBC 31st March 2003 GRANT

Internal alterations and removal of old sheds

03/00678/LBC 27th June 2003 GRANT

Addition of rear entrance canopy, railings and step changes. New railing to side front boundary - new gates

03/00682/FUL 27th June 2003 PER

(aka Halsey_) Addition of rear canopy, railings and alterations to existing steps new railings and gates and front boundary

03/01367/LBC 8th October 2003 WDN

Raising height of existing garage and construction of pitched roof over

03/01368/FUL 8th October 2003 WDN

Raising height of existing garage and construction of pitched roof over

04/00948/FUL 27th August 2004 WDN

Alteration and extension to existing flat roof single storey outbuilding/store including addition of first floor and pitched roof

04/00949/LBC 27th August 2004 WDN

Alteration and extension to existing flat roof single storey outbuilding/store including addition of first floor and pitched roof

04/00950/LBC 30th August 2004 GRANT

3no. new gates

04/02103/FUL 11th March 2005 PER
New gates and railings

05/01169/LBC 21st September 2005 GRANT
New gates and railings

14/00415/LBC PCO
Part demolition of existing outbuildings and rebuilding to provide garaging/workshop/bike store with new ancillary living accommodation at first floor

05/01169/LBC 3_COMP
New gates and railings

3. POLICIES AND GUIDANCE

Adopted Local Plan Policies

CP 4 Safe and sustainable living
CP 7 Design
BE 9 Alteration of listed buildings
UI 3 Sustainable Drainage Systems
TP 1 Development and highway safety

Supplementary Planning Guidance/Documents

Residential Alterations and Extensions (2008)
Central conservation area: Pittville Character Area and Management Plan (July 2008)

National Guidance

National Planning Policy Framework

4. CONSULTATIONS

Gloucestershire Centre for Environmental Records

16th April 2014

Report available to view online.

Building Control

9th April 2014

No comment.

Architects Panel

8th May 2014

The site is within the Conservation Area and adjacent to Listed Buildings. The proposal is fairly simple and low-key and represents an improvement on the existing garages.

Heritage and Conservation

15th May 2014

Analysis of Site: this particular location for the new buildings is quite hidden and discreet.

Comments:

1. The proposed works do include the partial demolition of the two single storey buildings on the site.
2. The existing building which is located in the most southerly position on the site is curtilage listed, however it has been significantly altered.
3. The principle of the proposed total removal of the unlisted existing garage is acceptable, and the principle of the partial demolition and rebuilding of the curtilage building is acceptable.
4. The proposed detailed design of the new buildings is acceptable subject to conditions.

CONCLUSION: approve subject to conditions.

5. PUBLICITY AND REPRESENTATIONS

Number of letters sent	19
Total comments received	14
Number of objections	9
Number of supporting	4
General comment	1

5.1 Nineteen letters were sent to neighbouring properties to publicise the application. In addition, a site notice was posted adjacent to the site and advert was also published within the Gloucestershire Echo. In response to this publicity, nine letters of objection have been received, as well as four letters in support of the scheme.

5.2 The principal objections are summarised below;

- Loss of privacy;
- Loss of daylight;
- Harmful to the wider conservation area and setting of the listed building;
- Overbearing;
- Historically inappropriate development – never two storeys on site;
- Proposals for first floor accommodation have previously not been supported by this Authority;

5.3 The comments in support of the proposal suggest that the proposal will be a visual improvement on the existing situation.

5.4 These representations are all material considerations in the assessment of this application and will be discussed accordingly in the following section of this report.

6. OFFICER COMMENTS

6.1 Determining Issues

- 6.1.1** The key considerations in relation to this application are; the principle of development on this sensitive site; the design and layout of the proposal; potential impact on neighbouring amenity and any highway safety considerations.

6.2 The site and its context

- 6.2.1** As identified at the start of this report, the principal building on the site is a grade II listed villa. The garages the subject of this application are also curtilage listed structures and the site is located within the central conservation area.
- 6.2.2** The garages which are the subject of the application are accessed via Pittville Mews, a mews road which serves a number of properties and existing outbuildings.

6.3 Design and layout

- 6.3.1** Local Plan Policy CP7 requires development to be of a high standard of architectural design and to complement and respect neighbouring development. As identified above, the site is heavily constrained given its listed status and location within the conservation area. As a result, any development has to be of a high standard, and ultimately, preserve or enhance the setting of the listed building and the character and appearance of the wider conservation area.
- 6.3.2** It is considered that the existing buildings are of no merit. Their form and appearance make no particular contribution to the Mews or the setting of Devonshire House and therefore the principle of partial demolition and rebuild is considered to be entirely acceptable. For planning permission and listed building consent to be granted however, the replacement scheme has to be acceptable in its own right.
- 6.3.3** The proposal seeks to provide a structure that reads as two outbuildings. The northernmost outbuilding is a single storey structure with a flat roof behind a parapet, 3.1 metres high at its tallest point. It presents a garage door to the access road and the structure abuts the boundary wall of the neighbouring property 1 Pittville House, Wellington Road. The plans indicate that this building will be used for garage accommodation as well as a bike store; the bike store being accessed from within the grounds of Devonshire House.
- 6.3.4** The southernmost structure seeks to provide accommodation over two floors; a garage/workshop at ground floor level with office accommodation above. The structure measures 4.5 metres to eaves height and 6 metres to the ridge. Again, a garage door is presented to the access road with a blind window above.
- 6.3.5** It is acknowledged that a number of residents have queried the scale of the building proposed, suggesting that two storey accommodation is not appropriate in this location. Members will note on site however, that within the mews there are examples of two storey buildings; indeed there is one opposite the site. It does not follow that just because historically the site has not boasted two storey ancillary outbuildings, a development of this nature should not be supported. Indeed, it is of note that the feedback on the previous applications on the site shared this view despite the subsequent withdrawals; the Conservation Officer in both cases implying that the principle of two storey development to be acceptable. In the case of the 2004 submission, it was the proportions of the building proposed and its detailed design that was criticised.
- 6.3.6** When assessed objectively, it is considered that the limited amount of two storey building proposed is entirely appropriate for this mews road. The Conservation Officer, in her consultation response, states that the site is '*quite hidden and discreet*' and whilst this is

perhaps an over-simplification of matters, it is difficult to argue that it is a prominent site within the conservation area. Views are achievable from Pittville Lawn but just because a structure can be seen, it does not follow that it will be harmful to the locality. Despite their increased scale, the structures will remain clearly subservient to the dominant villas and terraced houses in the locality and in this respect, officers are satisfied that the proposal complies with the requirements of local plan policy CP7 and will not have a detrimental impact on the setting of the listed building or the character and appearance of the wider conservation area. The proposal is well-considered and well proportioned; it is therefore a scheme worthy of support when assessed on its design merits.

6.4 Impact on neighbouring property

- 6.4.1** Local Plan Policy CP4 requires development to protect the existing amenity of neighbouring land users and the locality. Members will note from the representations that concern has been raised by neighbouring properties relating to both potential loss of privacy and loss of light as well as the potential overbearing impact of the development.
- 6.4.2** Regarding loss of privacy, the adjacent Hotel is concerned about the impact the proposed first floor window will have on their existing decking area to the rear and windows which look back towards the application site, specifically the reception space. Having considered this concern, officers are sympathetic. The window will allow for almost direct views into the hotel and onto the decking with limited distance between, thereby affecting privacy to an unacceptable degree. The drawings detail this window to be served by external shutters which would seem to imply that the applicant is aware of this potential impact and is already attempting to mitigate against it. Notwithstanding this approach, officers do not consider that the shutters achieve the necessary protection for the hotel; the window will still allow for unacceptable views from an elevated position. In light of this concern, if members are minded to grant planning permission, it is recommended that a condition be attached ensuring that this window is glazed with obscure glass with a restricted opening mechanism.
- 6.4.3** The neighbours to the north of the application site, 1 Pittville House, have raised some concern in relation to the rooflights proposed on the north facing roofslope. The application does not include a section which clarifies the cill height of these rooflights, and in light of this if permission granted, a condition will be necessary to ensure the cill height is a minimum of 1.7 metres from floor level.
- 6.4.4** Turning to potential loss of light, again it is considered that the proposal is acceptable. The scheme comfortably passes the relevant loss of daylight tests and whilst the outbuilding is south of 1 Pittville House, it is not considered that the loss of sunlight will be so severe as to warrant the refusal of planning permission. The proposal is of a modest scale and the shadow cast by the two storey structure (which is three metres from the boundary) could not be seen as unacceptable given the orientation and size of the affected garden.
- 6.4.5** The neighbouring property also suggests that the proposal would constitute an overbearing form of development by virtue of the additional floor. Officers accept that the larger structure will be more noticeable within the neighbouring property, but it is not accepted that the structure will be overly intrusive or overbearing. The two storey building is located some 15 metres from the affected decking with two outbuildings (the northernmost of this proposal and the neighbouring property's garage) acting as a suitable buffer between the taller flank wall and the immediate garden area. Furthermore, as identified above, the structure will be clearly recessive to the more dominant terraces and villas and in this context, could not be construed as an overbearing structure.
- 6.4.6** The proposal has been thoroughly assessed against the requirements of local plan policy CP4, and officers are satisfied that the scheme represents an acceptable form of development.

6.5 Access and highway issues

- 6.5.1** The proposal does not bring with it any significant access or highway safety considerations. The garages are being replaced in a similar form and the proposal is for ancillary accommodation to Devonshire House; in this respect it will not generate a significant number of movements beyond that already occurring.
- 6.5.2** Whilst there has been some concern locally regarding access rights, the proposal does not restrict access to existing properties.

6.6 Other considerations

- 6.6.1** There has been some speculation regarding the future use of the buildings proposed but members will be aware that this cannot be a material consideration in the determination of this application. The proposal is for ancillary living accommodation to main property and therefore has to be considered as such. If members are minded to grant planning permission, it is recommended that a condition is attached to ensure that ancillary accommodation is linked back to Devonshire House and cannot be used independently without a future planning permission.

7. CONCLUSION AND RECOMMENDATION

- 7.1** The application has been thoroughly assessed against local plan policy and has been found to be acceptable. The design of the proposed outbuildings is of an appropriately high standard for such a sensitive site and overcomes the concerns raised in relation to the previous proposals. It is a well proportioned proposal that will not detract from the setting of the listed building or the character and appearance of the wider conservation area. It is accepted that the success of the scheme will depend on the detailing of the scheme and quality of materials used, but these matters can be adequately secured by way of condition.
- 7.2** Despite reservations from neighbouring properties, it is not considered that the development will have an unacceptable impact on neighbouring amenity. The proposal will not constitute an overly oppressive structure and will remain subservient to the grandeur of the surrounding buildings. It will not compromise light to an unacceptable degree and the concerns relating to privacy can be adequately addressed through the use of conditions.
- 7.3** It is recommended that both planning permission and listed building consent be granted for this application subject to the conditions suggested below.

8. CONDITIONS / INFORMATIVES

To follow.