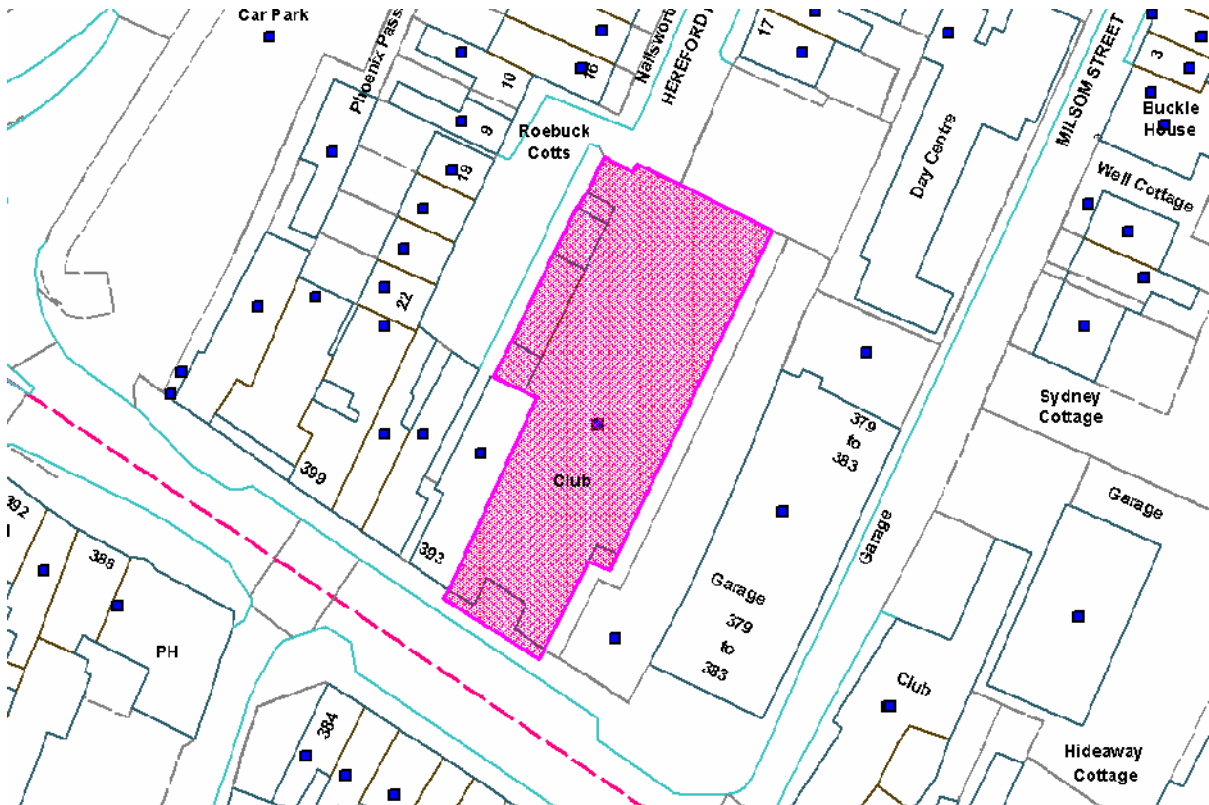


APPLICATION NO: 14/01423/FUL	OFFICER: Mr Craig Hemphill
DATE REGISTERED: 12th August 2014	DATE OF EXPIRY: 11th November 2014
WARD: St Pauls	PARISH:
APPLICANT:	Lance Leisure Ltd
AGENT:	DK Planning & Development Ltd
LOCATION:	391 High Street, Cheltenham
PROPOSAL:	Demolition of existing building and the construction of a four storey building for residential use together with three town houses and associated parking

RECOMMENDATION: Recommendation to follow.



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1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 This is a full application for the re-development of a site on the northern side of High Street near the junction with A4019. The site is located within the Lower High Street Character Area of the Central Conservation Area.
- 1.2 The application proposes, following the demolition of the existing Ace Bingo building (391 High Street), the erection of 14 new residential units comprising 3 two storey houses to the rear of the site, with a four storey building to the front of the site, facing High Street, containing 11 one and two bed apartments. A car parking area is proposed between the proposed building and the houses which would provide 14 parking spaces, accessed via Milsom Street, Nailsworth Terrace and Hereford Place.
- 1.3 The application is before the Planning Committee at the request of Councillor Jon Walklett to consider the public objection to the application.
- 1.4 There is no relevant planning history for the site, however two permissions have been granted in close proximity to the site, 11/00514/FUL and 12/00518/FUL. Both permissions are still valid but work has not started.
 - 11/00514/FUL - planning permission was granted for the construction of a new building for mixed residential and retail use, following the demolition of the existing building on land at 379-383 High Street (Widdows Motors).
 - 12/00518/FUL - planning permission was granted for the erection of a building comprising a shop unit and 2 bed flat at ground floor level, 2no x 2 bed apartments on first and second floors, 2no x 1 bed apartments on third floor as well as the provision of car parking facilities and a single storey building for storage of waste and bicycles on land at 385-387 High Street (strip of vacant land between Winddows Motors and the application site).

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Conservation Area
Core Commercial Area
Residents Associations
Lower High Street Shopping Area
Smoke Control Order

Planning History:

03/01690/FUL 11th December 2003 PER

Installation of telecommunications equipment comprising 3 antenna, 1 transmission dish, cabinet equipment and ancillary equipment

84/00557/PF 27th September 1984 REF

Mecca Social Club - Tile Hanging To Upper Front Elevation

94/00666/PF 25th August 1994 PER

Alterations To Front Elevations To Include New Doors And Frames, New Ceramic Tiling And Decoration

94/00672/AI 25th August 1994 REF

Internally Illuminated High Level Sign

3. POLICIES AND GUIDANCE

Adopted Local Plan Policies

CP 1 Sustainable development
CP 3 Sustainable environment
CP 4 Safe and sustainable living
CP 6 Mixed use development
CP 7 Design
BE 3 Demolition in conservation areas
HS 1 Housing development
RC 1 Existing community facilities
RC 6 Play space in residential development
TP 1 Development and highway safety

Supplementary Planning Guidance/Documents

Central conservation area: Lower High Street Character Area and Management Plan (July 2008)

National Guidance

National Planning Policy Framework

4. CONSULTATIONS

Gloucestershire Centre for Environmental Records

21st August 2014

The data search for this site is based on the grid reference supplied by CBC, which is assumed to be located at the centre of the planning application site. GCER searches for all data within 250m of the grid reference. The provision of this data shows that the importance species or habitats are present on or near the proposed development site; however it does not show that important species or habitats are not present or affected by the development.

Architects Panel

23rd September 2014

The panel felt that the modelling of the High Street elevation was weak and could perhaps benefit from picking up on floor levels of further vertical division. The detailing of the roof line was also seen as slightly weak. The rear elevation to units 1-3 could also possibly benefit from additional vertical sub-division. The panel would therefore support this application subject to some refinement.

GCC Highways Planning Liaison Officer

9th September 2014

Site Location

The site is located in the town centre of Cheltenham along the High Street and the rear faces towards Nailsworth Terrace/Hereford Place.

Accessibility

I consider that the proposed site to be a very sustainable site within a town centre environment serviced by local amenities with many social amenities, public house(s), community centre a library shops and many employment sites.

There are good highway links and a local bus service connecting to the outlying residential and shopping areas together with schools and Cheltenham Railway and the National Express Coach facility being both within 1 mile of the site providing national rail and coach links.

The site has 10 primary school(s) within 0.6 and 1 mile and 10 secondary school(s) within 0.6 and 1.5 mile(s). There is a good standard of pedestrian pathways linking to Cheltenham Town Centre and adequate cycling accessibility. I consider that the opportunities for sustainable transport modes have been taken up given the nature and location of the site in accordance with Paragraph 32 of the NPPF.

Accidents

There are no reported accidents along Milsom Street or Nailsworth Terrace/Hereford Place which are the proposed vehicle access routes to the site. There is no road safety considerations related to the proposed application.

Existing Site Access

Site access is currently from High Street and along Milsom Street onto or Nailsworth Terrace/ Hereford Place.

Proposed Site Access

I note from the public comment that there is no objection in principle to the development. However, some concern has been raised in regards to the access proposed from the square known as Hereford Place. I have made note of the comments made in addition to my site visit these being;

Access

Vehicular access to the main site access is through a narrow access onto Hereford Place (described locally as a square) via Nailsworth Terrace/Hereford Place. Extra vehicular movement from the site would be considered to be a significant intensification to which is currently in place in particular the entrance into the shared parking area known as Hereford Place. At this point there is an area dedicated as footway to the North which is shown as servicing properties' No's 9 & 10 (width approximately 1m at it narrowest point) which appears to be currently covered over with a bitumen surface; however, part of the edging is still visible.

There is a Public Right of Way (No ZCH 21 with a width of approximately 2m) which runs from Nailsworth Terrace/Hereford Place across the access onto Hereford Place and along the side the existing Bingo Hall boundary onto the High Street. Hereford Place currently provides unallocated on-street parking for a minimum of 8 vehicles although no parking spaces are marked which the site visit confirmed. The proposed access as shown on Drawing No A1348.10 would have an impact on the current parking arrangements and lead to a reduction in the available parking spaces within Hereford Place due to the need to maintain access to the proposed site. In addition this would lead to a displacement of vehicles currently parking on Hereford Place onto Nailsworth Terrace/Hereford Place.

Car Parking Survey & Survey Report

A Car Parking Survey & Survey Report has been commissioned and submitted by the applicant, the conclusion and results of the survey have been able to demonstrate that visitor parking is available on Nailsworth Terrace/Hereford Place.

Resident Parking Scheme

The local community have been involved with informal discussions related to a proposal for the introduction of a local resident parking scheme for Milsom Street and Nailsworth Terrace/Hereford Place. If this scheme is implemented there will be a significant betterment to enable both resident and visitor permit parking to support the development.

Proposed Site Access – Visibility

Drawing No A1348-11 shows one parking space entered directly from Terrace/Hereford Place across a section of unclassified and not adopted section of highway, the remaining vehicular access being from the non-adopted section of highway known as Hereford Place (locally described as the Square).

There is no current vehicular access and established visibility splay established from Hereford Place (locally described as the Square).

Hereford Place (locally described as the Square) - Shared Space Street & Footway

It is noted from the site visit that Hereford Place (locally described as the Square) operates as a shared space street un-adopted highway. Highway plans reveal the Public Right of Way No ZCH 2, records further show a footway to the North which is shown as servicing properties' No's 9 & 10 (width approximately 1m at it narrowest point) which appears to be currently covered over with a bitumen surface however part of the edging is still visible.

Shared Space Street & Footway

It is noted from drawing No A1348-11 that the site will operate as a shared space street.

Our local guidance "Manual for Gloucestershire Streets (3rd Edition Adopted 12th June 2013)" provides guidance for "Shared Surface Streets". Therefore all drawings submitted with the planning application showing the shared space street needs to demonstrate the shared space street has adequate highway width and can accommodate vehicle tracking and bend widening to accommodate vehicle passing in both directions and provision for pedestrians throughout the shared space street within the development.

Highway Width: Generally 6.8m but subject to swept path analysis to determine the need of over-run areas on bends. Localised narrowings to a minimum of 3.7m over short distances on straight sections may be acceptable but will be subject to the provision of an unobstructed pedestrian corridor.

Adopted Highway & Public Right of Way

In addition to the identified Public Right of Way (No ZCH 21) highway records show that that the adopted highway ends at the boundary of No 16 Nailsworth Terrace/Hereford Place therefore the access to the site from this junction and via Hereford Place is not via adopted highway.

The Public Right of Way Team at Gloucestershire County Council will need to be consulted with reference to the Public Right of Way (No ZCH 21) prior to any proposed works being undertaken.

Please Note: According to Highway records, the area proposed for site access is not considered to form part of the highway maintainable at public expense (as listed under s.36[6] of the Highways Act 1980).

Note: Therefore the agent/developer will need to establish the access rights as proposed for the creation of the proposed accesses.

Refuse Collection & Bin Storage

It is noted from the submitted drawings that bin storage is shown, however there is no turning point shown which would enable a refuse vehicle to service the site.

Having said this Hereford Place (Locally described as the Square), Nailsworth Terrace/Hereford Place are currently serviced by refuse collections.

I refer to the above application received at our office on 12th August 2014 for Demolition of existing building and the construction of a four storey building for residential use together with three town houses and associated parking at 391 High Street, Cheltenham, Gloucestershire, GL50 3HU together with Block Plan Drawing

No(S) A1348.10, a1348-12 Application, Design and Access Statement, Car Parking Survey, Parking Report and public comment dated 31st August 2014 and a site visit that was undertaken.

I recommend that no highway objection be raised subject to condition(s) being attached to any permission granted.

Additional Highways comments

25th September 2014

I have reviewed correspondence from the local resident representation regarding the outcome from the parking survey undertaken by the applicant.

I acknowledge that the concerns that have been raised relate to the issue that the parking survey was carried out during a non natural period that being that the survey was carried out during the term break both for local schools and the university.

It would therefore seem appropriate that a new survey is carried out during the current term time to establish if the level of parking availability shown in the previous survey is consistent with that of term time as opposed to a period in which the survey was undertaken during the term break.

Cheltenham Civic Society

21st August 2014

We found this uninspiring, and would favour something bolder with more articulation for the High Street, an important street

County Archaeology

18th August 2014

I advise that the application site is archaeologically sensitive, since it is located within Cheltenham's medieval settlement area. Therefore, significant archaeological deposits relating to medieval settlement may be adversely affected by construction ground works required for the proposed development.

In view of the potential for medieval settlement remains to be present within the application site I recommend that a programme of archaeological monitoring of construction ground works should be undertaken should development proceed, so as to make provision for the recording of any archaeological remains which may be revealed during the development.

In order to facilitate this I recommend that a condition based on model condition 55 from Appendix A of Circular 11/95 is attached to any planning permission which may be given for this development, ie;

'No development shall take place within the application site until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the local planning authority'.

Reason: to make provision for a programme of archaeological mitigation, so as to record and advance understanding of any heritage assets which will be lost, in accordance with paragraph 141 of the National Planning Policy Framework

I would be pleased to provide the applicant on request with a brief confirming the scope of the archaeological mitigation.

I have no further observations.

Heritage and Conservation

7th January 2015

Analysis of Site: comprises of two quite different part of the site, with quite different characters (ie the part of the site facing the High Street and the part of the site facing Hereford Place).

Historic analysis of the site:

Hereford Place was in existence in 1832 and is shown on the 1834 map as a narrow in a cu-de-sac opening into Swindon Road. Some of the historic houses in Hereford Place were demolished as part of the 1936 slum clearance programme.

Comments:

1. Please note that many of the comments set out below have already been stated in the previous pre-application comments and whilst some of my pre-application (13/01589/PREAPP) comments have now been addressed by the submitted application, some remain of a significant concern.
2. This site is adjacent to a vacant site on the south-east, which has already received planning permission for re-development. I suggest it is essential that this extant scheme is considered prior to discussing this application site in too much depth. A joint consideration of the two sites is a preferable form of development.
3. **EXISTING SITE AND ADJACENT BUILDINGS:**
 - a. Adjacent buildings: I remain unhappy about making comments about the proposals especially the proposed height, without an accurate survey drawing of adjacent properties. This point was made at pre-application stage and appears not to have been addressed. Indeed it is noted in the applicant's Planning Statement clause 6.14 states that the proposed four storey element on the High Street takes its lead from the height of the adjacent buildings immediately to the west. However whilst the proposed building has floor level given accurately the key heights of the adjacent buildings to the west such as the eaves height and window head heights and roof ridge height appear not to have been accurately recorded.
 - b. Bingo Hall:
 - i. It is accepted in principle that the demolition of the former cinema now Bingo Hall is acceptable although regrettable, subject to the detailed design of the replacement building being acceptable.
 - ii. However the Bingo Hall is in the conservation area and the applicant has failed to submit any appraisal of how its loss will impact on the conservation area. Such an appraisal is required under clause 128 of the NPPF.
 - iii. Whilst it is accepted that the former bingo hall has been identified as a neutral building in the conservation area appraisal, it does have some merits, in that it does provide an active street frontage. However the applicant has not provided any analysis of the existing building or its impact on its surroundings.
 - c. Site analysis: the applicant appears not to have submitted any through site analysis, or made an assessment of the impact of the proposals on the site as a whole including any proposed impact on the adjacent buildings including the Locally Indexed Building on Milsom Street.

4. PROPOSED SITE LAYOUT:

- a. The principle of developing the site in two sections seems to be acceptable.
- b. However whilst it seems suitable to access the site from Hereford Place, the existing access around the existing north-west corner of the site and the proposed access is extremely tight and may prove to be impossible for a fire engine and/or refuse lorry to gain access. Therefore it is extremely important to receive highway comments now given that the bin storage for the new proposed development is located on the south side of the access pinch point.
- c. The existing alleyway to the east side of the site is not within the application site but on adjacent land. It is not clear if this alleyway is a public right of way and this is an important consideration which needs to be confirmed, given the way the windows on the east elevation have been designed (see my later comments).
- d. The east/west orientation of the town house block, does seem to be ignoring the historic urban grain and is creating an even more awkward relationship to the houses at the south end of Hereford Place. I have major concerns about this element of the design. The size and location of these town houses would also adversely impact on the adjacent Locally Indexed former school building (ie former 19th school in Milsom Street).
- e. A more suitable site layout might to continue the two storey housing along the east side of Hereford Place, respecting and continuing the current building line.
- f. However at pre-application discussion it had been suggested that if the east-west orientation of this block was to be successful then the pinch point on the north-west corner needed to be resolved and the hard landscaped area of Hereford Place should be softened by green landscaping. The proposed tiny patch of green which is sandwiched between two parking spaces is not adequate to create a quality environment and address my fundamental concerns.
- g. The proposed location of the bin storage area is of concern given the potentially difficult access for refuse lorries (see comment above). However in addition the principle of enclosing the bin area with a timber enclosure/fence is totally unacceptable and wherever the bin storage is located it should be hidden by a brick enclosure.

5. PROPOSED DETAILED DESIGN, FORM AND MASS OF THE BUILDINGS:

- a. The proposal has now been changed since the pre-application submission to have a two storey block of three town houses instead of a three storey block on the north side of the site and this reduced height is welcomed.
- b. The proposed 3d sketches and the internal courtyard elevation of the town houses and the north-west and south-east elevations show a large balcony over car parking to the town houses on the north part of the site. However this location to the rear of the site is a small scale low height built environment and an under-croft parking solution does not seem appropriate here. Again this point was made at pre-application stage.
- c. The acceptability of the height of the proposed building on the High Street elevation depends on the height of adjacent properties being accurately surveyed and also the extant scheme on the adjacent site (see comment above).
- d. However notwithstanding the above comment, the proposed balconies facing on to the High Street are an alien feature in the High Street. Fortunately since the pre-

application submission the size of the balconies have been reduced and set back from the front parapet edge, but the front balcony to flat 10 is proposed to extend in front of the communal stairwell and this balcony and people on it will be very prominent. This balcony arrangement as shown is not acceptable.

6. DETAILED DESIGN OF THE NEW BUILDINGS:

a. Town houses:

- i. The layout and form of the town houses has been discussed above as being of concern.
- ii. However the principle of designing buildings in a
- iii. In addition the ground floor layout seems quite odd in some respects, because the houses are all accessed from the rear parking area via an external door leading into a bedroom. This arrangement may cause concerns to the Police secure by design officer.
- iv. The proportions of the north-west and south-east elevations are poor.
- v. The south-east elevation as shown does not agree with the first floor plan.
- vi. The large balcony/car port conceals the poor fenestration pattern on the south elevation. If the balcony/car port is removed in any revised scheme then the fenestration arrangement will need further consideration.

b. High Street flat block:

- i. Ground floor flat 1 has a bedroom with no window and therefore no natural ventilation. This is likely to be unacceptable to building control and I strongly suggest that their comments are obtained on this point.
- ii. In addition the windows which face on to the east side alley (see comments above) may be of concern in relation to unprotected areas for fire. Whilst the windows could be fitted with fire glass, the benefit is such glass will be lost as soon as the window is opened. Again this arrangement is likely to be unacceptable to building control and I strongly suggest that their comments are obtained on this point.
- iii. The front window on the front elevation to the main common staircase is located on the plan at the half landing level. However on the elevation it is shown on the main floor level. This needs to be checked as these staircase windows are quite likely to need to be staggered in height in relation to the main floor levels.
- iv. The ground floor main entrance door is hidden behind a return of wall. This arrangement may cause concerns to the Police secure by design officer.
- v. The front entrance lobby lacks any natural daylight or ventilation and this seems to be a missed opportunity. The provision of natural light reduces the need for artificial lights, also reduces the need for electricity and reduces the carbon footprint of the building.

SUMMARY: There are a number of fundamental concerns which were raised at pre-application stage and remain of concern. In addition there are a number of detailed design concerns.

Revised plans and additional information

Architects Panel

3rd February 2015

The panel was referred to its previous comments. Following these, some changes have been included. The simple, vertical definition helps the proportion of the elevations, but will need to be reasonably robustly expressed in reality. The horizontal banding on the front also helps the overall composition and the comment above applies equally.

The panel is happy to support the scheme as proposed.

Heritage and Conservation – to follow in an update

GCC Highways Planning Liaison Officer – to follow in an update

5. PUBLICITY AND REPRESENTATIONS

- 5.1** Letters of notification have been sent to 71 neighbouring properties on receipt of the original application. Further letters have been sent out following the submission of additional parking survey information and revised plans. A site notice was also displayed at the site along with an advert being placed in the Echo.
- 5.2** In response to the publicity, objections have been received from 11 local residents. All of the comments received have been circulated to Members in full, but the main objections relate to:
- Increase in traffic and reduction in parking spaces.
 - Existing narrow road with existing parking and congestion.
 - Access for emergency and refuse vehicles.
 - Parking survey has been done out side student term time.
 - Potential overlooking and the rear balconies.
 - Location and type of bin storage area.
 - Loss of the entertainment facility.
 - Loss of a building with historic interest.
- 5.3** Within the letters of objection comments have been made in support of general principal of redevelopment of the site and the replacement of the existing building.

6. OFFICER COMMENTS

- 6.1** At the time of writing the report updated comments are awaited from the Conservation Officer and the GCC Highways Planning Liaison Officer.
- 6.2** Officer comments and recommendation will follow as an update.