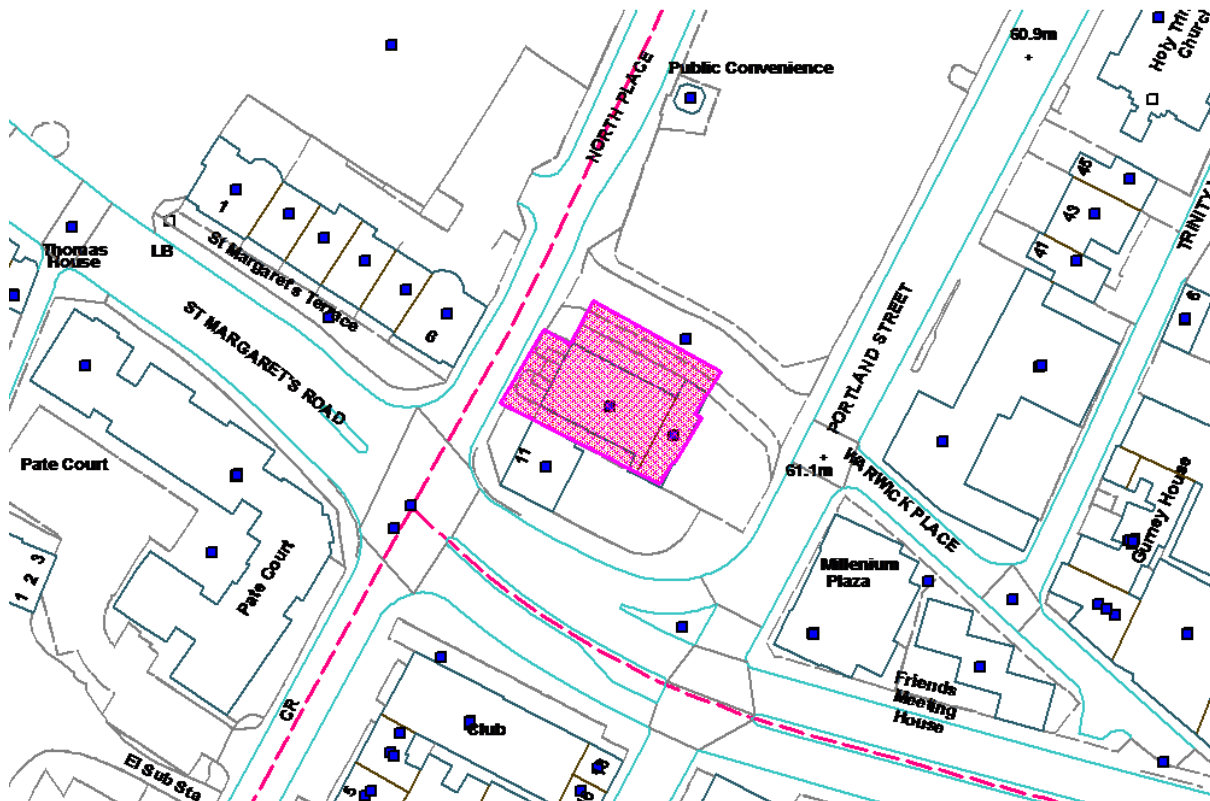


APPLICATION NO: 15/01208/FUL		OFFICER: Mr Ben Hawkes
DATE REGISTERED: 10th July 2015		DATE OF EXPIRY: 4th September 2015
WARD: Pittville		PARISH:
APPLICANT:	Chapel Spa	
AGENT:	n/a	
LOCATION:	10 North Place, Cheltenham	
PROPOSAL:	Dropped kerb and hardstanding to facilitate parking area	

RECOMMENDATION: Temporary permission



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1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The application site is a grade II listed building located on North Place which is in the central conservation area.
- 1.2 The applicant seeks planning permission for a proposed dropped kerb and hardstanding to facilitate parking to the front of the property known as Chapel Spa.
- 1.3 The application is before committee as Cheltenham Borough Council are the land owners.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Conservation Area
Core Commercial Area
Residents Associations
Smoke Control Order

Relevant Planning History:

01/00476/LBC 30th July 2001 GRANT

Internal alterations including construction of new mezzanine floor, new changing rooms in basement, spa area in basement and treatment rooms on ground floor

02/01973/LBC 14th February 2003 GRANT

Installation of glass door and screen on inside of existing entrance doors

03/00372/ADV NOTREQ

Bronze relief lettering

78/00090/PF 2nd May 1978 PER

Provision Of Additional Toilet Facilities In Basement

79/00266/PF 7th August 1979 PER

Use Of Part Premises For Play Group

85/00085/LA 21st February 1985 PER

Alterations To Form Internal Staircase From Church To Lower Ground Floor And Substitution Of Door With Side-Light For Existing Window On Side Elevation Of basement As A

90/00105/LA 22nd February 1990 WDN

Alterations

94/00621/PC 25th August 1994 PER

Change Of Use To Fitness Centre Incorporating Indoor Climbing Wall (In Accordance With Revised Plans Received 04 Aug 94 And 25 Aug 94)

94/00624/LA 25th August 1994 PER

Basement: Replacement Of WC Facilities And Installation Of Changing Facilities +Construction Of Partition Walls. Ground Level: Construction Of Climbing Wall. Gallery Level: Balustrade Replacement

07/01030/LBC 9th October 2007 REF

Internal alterations and general refurbishment

07/01677/COU 7th February 2008 WDN

Change of use from garage/storage to mews type dwelling to front Trinity Lane

07/01686/LBC 25th January 2008 WDN

Installation of external and internal air circulation units at basement level

14/01925/LBC 26th November 2014 GRANT

Masonry repairs to Portico and northern boundary wall

14/02108/LBC 19th January 2015 GRANT

Various internal alterations to reception area to include blocking up of an existing doorway, creation a new double door opening with glazed fanlight over, and alterations to change existing flush door from an opening door to a sliding door

3. POLICIES AND GUIDANCE

Adopted Local Plan Policies

CP 1 Sustainable development

CP 3 Sustainable environment

CP 4 Safe and sustainable living

BE 7 Parking on forecourts or front gardens in conservation areas

TP 1 Development and highway safety

Supplementary Planning Guidance/Documents

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

National Guidance

National Planning Policy Framework

4. CONSULTATIONS

Heritage And Conservation

13th August 2015

Comments:

1. The proposal is for a dropped kerb to be installed near the entrance to 10 North Place, the Chapel Spa, to facilitate off road parking for up to two vehicles. This proposal is not acceptable.
2. Although the proposal will not physically impinge on the listed building, what it will facilitate, i.e. off road parking, will impact on the listed building's setting. The installation of a dropped kerb will make vehicle parking on the forecourt to the front of the listed building considerably easier, and encourage its use.
3. The presence of up to two vehicles parked immediately in front of the listed building will harm its visual impact; the vehicles will obscure the view of the listed building and detract from its visual impression.
4. Cheltenham Borough Council's Local Plan states that there is a 'particular need to ensure that parked cars to not detract from or partly obliterate the view of the historic buildings which are the core of the conservation areas'. The proposed dropped kerb, by enabling easier off road parking which obscures the view of an historic listed building, is contrary to this statement and detrimental not only to the

listed building, but to the appearance and character of the conservation area as well. As such it is not acceptable.

Conservation and Heritage summary:

Object to the proposal because the proposed dropped kerb will facilitate off road parking for up to two vehicles in the setting of the listed building. As such it will have a detrimental impact on the listed building as well as character and appearance of the conservation area.

Suggested refusal reasons relating to Conservation and Heritage matters:

Chapel Spa (10 North Place) is a grade II listed building of architectural and historic importance. The proposed dropped kerb, by facilitating off road parking immediately adjacent to the Spa, would harm the setting of the listed building, obscure its view and detract from its visual impression. As such it would also have a negative impact on the character and appearance of the conservation area. Accordingly, the proposals are contrary to sections 66 (1) and 72 of the Planning (Listed Buildings & Conservation Areas) Act 1990, national policy set out in the NPPF and policy BE7 of the Adopted Cheltenham Borough Local plan.

GCC Highways Planning Liaison Officer

20th July 2015

With regards to the above site; under our Highway's Standing advice criteria we do not need to be consulted on this application and this can be dealt with by yourselves with the aid of our guidance.

5. PUBLICITY AND REPRESENTATIONS

Number of letters sent	11
Total comments received	0
Number of objections	0
Number of supporting	0
General comment	0

- 5.1 11 letters were sent to neighbouring properties, a site notice was displayed and an advert was published in the Gloucestershire Echo; no letters of objection have been received.

6. OFFICER COMMENTS

6.1 Determining Issues

- 6.2 The considerations that need to be given to this application are the impact on the conservation area, the listed building and any highway safety implications.

6.3 History

- 6.4 This application has been submitted in connection with a land swap between Cheltenham Borough Council and the owners of Chapel Spa. The submitted plan 42/C/19499-4 shows that Chapel Spa own a strip of land to the side of the property that Cheltenham Borough Council wished to obtain in order to potentially reopen the road for a bus link as part of the North Place car park redevelopment; In return the Chapel Spa would obtain the area of land to the front of the building, with the hope to facilitate off road parking.

6.5 Heritage and Conservation

6.6 Our conservation team were consulted and their full comments can be viewed in the consultation section. The conservation team object to the proposal as parking to the front of the listed building is considered to have a detrimental impact on the listed building, as well as having a harmful impact on the character and appearance of the conservation area.

6.7 Access and highway issues

6.8 The highways department were consulted on this application and raised no objection to the proposal. A dropped kerb in this location is not considered to cause any highway safety implications.

6.9 Considerations

6.10 The proposed dropped kerb would formalise parking in front of the Grade II listed building, policy BE7 of the Cheltenham Borough Council Local Plan states that 'Development which introduces or extends the parking of vehicles on forecourts or front gardens of buildings in conservation areas will not be permitted'.

6.11 Paragraph 133 of the NPPF states 'Where proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss'. The redevelopment of the North Place car parks is currently not forthcoming; therefore at this time officers do not consider there to be a public benefit to outweigh the harm to the listed building and the wider conservation area on a permanent basis.

6.12 Although the proposal is not considered to be compliant in terms of meeting the requirements of policy BE7, given the circumstances surrounding the application officers consider it to be acceptable to grant a 2 year temporary consent. After which officers will be able to reconsider any future application for a permanent permission based on the progress with any plans for the wider development of Portland Street.

7. CONCLUSION AND RECOMMENDATION

7.1 The recommendation is to permit a 2 year temporary consent, subject to the conditions set out below:

8. CONDITIONS / INFORMATIVES

- 1 The development hereby permitted 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.
- 2 The dropped kerb and hardstanding to facilitate parking hereby approved shall be changed back to its original state and the land restored to its former condition 2 years from the date of this permission unless a renewal of permission has been granted.
Reason: The current proposal is contrary to local plan policy BE7, however given the circumstances surrounding this application a temporary permission is deemed appropriate. A temporary permission enables the Authority to retain control over the

works, in the interests of the visual amenities of the area which is designated as a Conservation Area.

INFORMATIVES

- 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 application constitutes sustainable development and has therefore been approved in a timely manner.