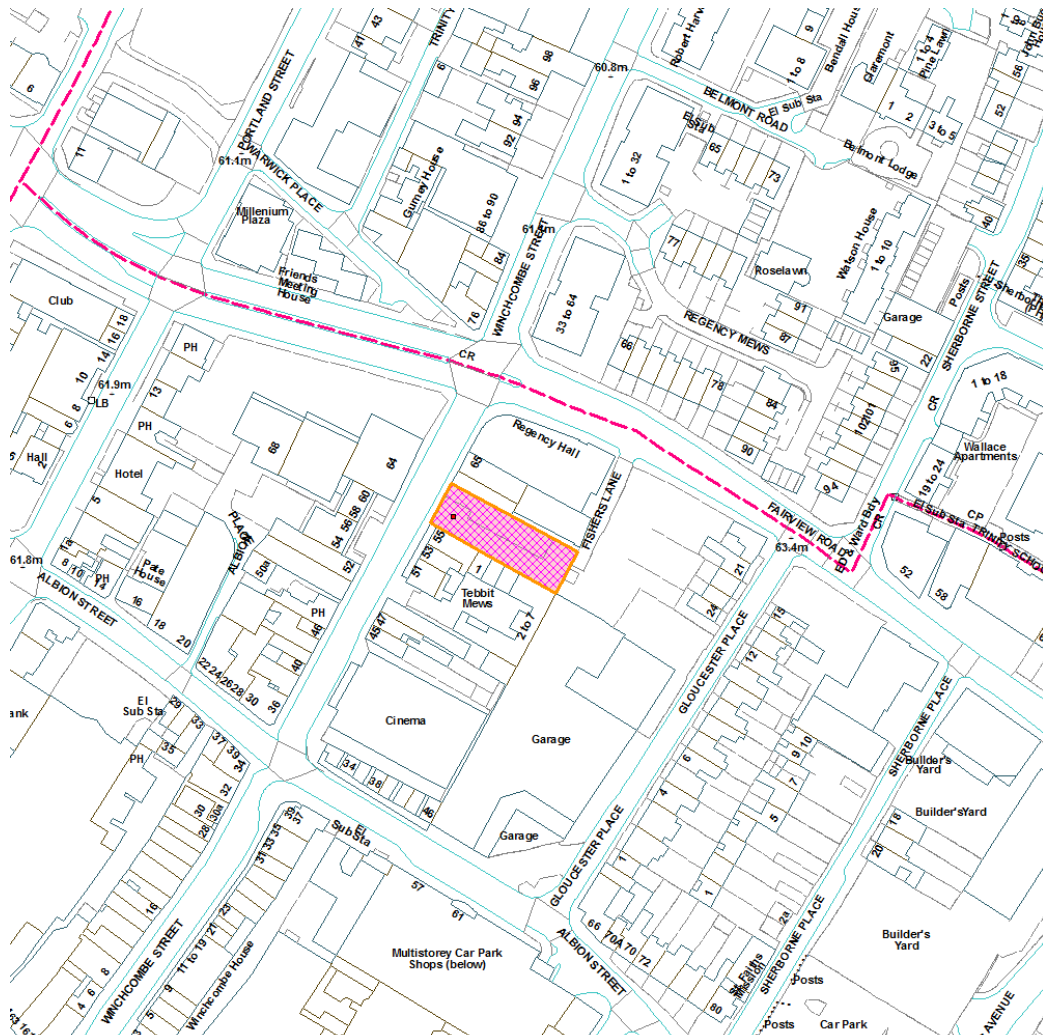


APPLICATION NO: 15/02268/FUL		OFFICER: Miss Michelle Payne
DATE REGISTERED: 30th December 2015		DATE OF EXPIRY: 30th March 2016
WARD: All Saints		PARISH: n/a
APPLICANT:	Gallery Estates Limited	
AGENT:	Aspect360 Ltd	
LOCATION:	57-59 Winchcombe Street, Cheltenham	
PROPOSAL:	Partial demolition and mixed-use conversion to 11no. apartments and commercial/retail unit (Use Classes A1, A2, or B1a) with associated external alterations, fourth floor extension, car parking, cycle and refuse storage	

RECOMMENDATION: Permit



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1. DESCRIPTION OF PROPOSAL

- 1.1 This is a full application for various alterations and extensions to the former 'Axiom' building at 57-59 Winchcombe Street to facilitate the conversion of the building to 11no. apartments on the upper floors with a commercial/retail unit (Use Classes A1, A2, or B1a), undercroft car parking, cycle and refuse storage at ground floor.
- 1.2 The application has been submitted following pre-application discussions; the proposals tabled at pre-application were not supported by officers. Further revised/additional plans have been submitted during the course of this application to address officer concerns and concerns raised by the Highways officer.
- 1.3 The application is before the planning committee at the request of Councillor Sudbury and Councillor Babbage, due to the level of interest in the local community; however, it should be noted that only one local objection has been received.
- 1.4 Members will visit the site on planning view.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Conservation Area
Core Commercial Area
Locally Listed Building
Residents Association
Central Shopping Area
Smoke Control Order

Relevant Planning History:

None

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 11 Buildings of local importance
HS 1 Housing development
RC 6 Play space in residential development
TP 1 Development and highway safety

Supplementary Planning Guidance/Documents

Play space in residential development (2003)
Old Town Character Area Appraisal and Management Plan (2007)

National Guidance

National Planning Policy Framework

4. CONSULTATION RESPONSES

County Archaeology

30th December 2015

Thank you for consulting me concerning the above planning application. I wish to make the following observations.

I advise that I have checked the proposed development area against the County Historic Environment Record and there is no archaeology known at this location. The application site is located outside Cheltenham's medieval settlement area.

In my view the development proposal has low potential to have an adverse impact on any significant archaeological remains. Therefore, I recommend that no archaeological investigation or recording should be required in connection with this development proposal.

I have no further observations.

Cheltenham Civic Society

25th January 2016

We are sympathetic to this proposal. We acknowledge that a mix of retail and residential is the most viable way forward as the possibility of the use of this site as an arts centre is no longer realistic. We think that what is proposed retains the essential character of the old mill buildings, which is important as it is an unusual style for Cheltenham. We also accept - given that the structure is not listed - that alterations necessary to make it a workable scheme must be accepted, provided the overall character of the building is retained - as it is. It is also our view that for a residential scheme in this area to be viable parking must be provided. We are slightly concerned about the small size of the smaller units.

Architects Panel

2nd February 2016

Design Concept: The panel had no objection to the development in principle, recognising that the existing building was locally indexed and that the conversion to apartments put the redundant building to good use. The additional storey and new roof profile was considered perfectly acceptable in this location. The panel were pleased the scheme retained much of the original building features.

Design Detail: The panel generally felt the scheme was carefully considered and well designed. Some concern was raised about the shared pedestrian and vehicular access off Winchcombe Street, visibility issues and the practicality of having gates. A change of surface treatment to ensure pedestrian priority is recommended.

Recommendation: Support, subject to Highway Authority approval of site access.

Environmental Health

18th February 2016

I have reviewed this application and offer the following comments:

I have no objection to the proposed development in principle, but I am concerned that there is potential for residents of the accommodation directly above the shop to be affected by noise from commercial use. I would therefore recommend the following conditions:

Condition:

The hours of opening of the retail unit will be restricted to:

8AM - 8PM Monday - Saturday, 9AM - 6PM Sundays

Reason: To protect the residents of adjacent (upstairs) property from loss of amenity due to noise from commercial operations.

Condition:

No deliveries shall be made to the retail unit, nor collections of waste material made from the unit outside the opening hours above.

Reason: To protect the residents of adjacent (upstairs) property from loss of amenity due to noise from commercial vehicles accessing the site for loading and unloading.

Heritage and Conservation

14th March 2016

Analysis of Site

Two storey, architecturally distinct commercial building formerly in retail and office use with extensive three storey warehousing range to the rear. An internally enclosed open yard is accessed from the street frontage through an opening to the side of the front-range from Winchcombe Street. The entire complex of buildings is arranged in a C plan-form. Fishers Lane runs to the rear of the building but there is no current access. There are views into the site from Winchcombe Street from where the side and rear elevations of the warehouse range can be appreciated.

The building in its current footprint appears on the historic maps in the early part of the 20th C and is essentially unaltered in form. The maps indicate that the service yard was partially covered by a lightweight structure which is probably the extant iron canopy that would have provided a covered area to keep goods dry when loading and transporting it.

Comments

1. The principle of a mixed-use conversion is acceptable however the extent of demolition and alteration proposed initially was a major concern: a modified scheme has now been submitted and whilst there is overall support for the scheme there are still some outstanding concerns that need to be addressed before this scheme can be fully supported.
2. The building is locally listed and in accordance with policy BE11 the demolition of, or harmful alteration of a building on the Index of Buildings of Local Importance will be resisted. This building is valued locally for its historic and architectural significance and is a rare example, in Cheltenham, of this building type. Furthermore the rear ranges of the building retain a number of distinctive characteristics which provide evidence of its former use: sack hoist lifts and trap doors etc. and distinctive arched windows with steel frames and multiple panes of glass associated with this building type. These external features define the building and their retention, or replacement with like for like features, is absolutely necessary to retaining the building's heritage significance and aesthetic value.
3. The provision of on-site parking is a contentious issue due to the physically constrained external space of the building and the desire of the applicant to provide allocated parking spaces for all occupiers of the building: the under-croft parking proposed will substantially alter the appearance of the lower ground floor with implications for the openings on the ground floor which is a concern. I understand that the proposed parking level has been lowered as far as is possible from the current yard level but it is not sufficient for the upper floor levels to remain untouched. It is regrettable that the ground and first floor must be removed and a new ground floor inserted above the

parking level, however, the insertion of a mezzanine floor setback from the front elevation of the main range will mean that the majority of the openings on the main section of the building will be unaltered which will preserve the inherent historic visual character of the building.

4. On balance the contemporary interventions which include the large voids to accommodate lower ground floor parking and the additional glazed storey, 'cap', do not conflict with the overall industrial aesthetic of the building.
5. Whilst it is welcomed that the design of the windows and doors have been revised following a site meeting, in my view the timber/glazed fixed door/window design should be used consistently across the site on the existing warehouse and stable building rather than the fully glazed full height window/door version that is used in a couple of locations, furthermore the smaller windows should all have the same appearance - i.e. with small panes which will provide a consistent and suitable contrast to the large glazed sections on the added top floor.
6. Where new openings are being inserted the relieving arches should be in brick to match the building rather than in blue engineering bricks as is the case with some of the historic openings: this distinction will, it is anticipated, allow for the phases of the building to be subtly read without distortion.
7. There are concerns regarding the overbearing impact that the additional storey will have on the front facing two storey building and the awkward relationship created between these two parts of the building at the roofline: setting the terrace further back has improved this relationship but it could go further back. A modest setback would lessen its visibility and impact on the conservation area and in particular improve the oblique views of the roofline from Winchcombe Street and beyond.
8. I have additional concerns regarding the use of large roof-lights on the front and side roof slopes of the Winchcombe Street building: the traditional appearance of this building is being maintained which is welcomed and the new roof will match the profile, pitch, height and materials of the existing historic roof however the introduction of roof-lights on these very visible slopes will be visually intrusive and, in my view, harmful to the appearance of this locally listed building.
9. Revisions are required for this scheme to be acceptable but the overall approach is considered to be positive.

Heritage and Conservation (revised comments)

4th April 2016

Analysis of Site

Two storey, architecturally distinct commercial building formerly in retail and office use with extensive three storey warehousing range to the rear. An internally enclosed open yard is accessed from the street frontage through an opening to the side of the front-range from Winchcombe Street. The entire complex of buildings is arranged in a C plan-form. Fishers Lane runs to the rear of the building but there is no current access. There are views into the site from Winchcombe Street from where the side and rear elevations of the warehouse range can be appreciated.

The building in its current footprint appears on the historic maps in the early part of the 20th C and is essentially unaltered in form. The maps indicate that the service yard was partially covered by a lightweight structure which is probably the extant iron canopy that would have provided a covered area to keep goods dry when loading and transporting it.

Comments

1. The revisions made to the design of the windows and doors and materials for the arched openings are acceptable: there is now a more comprehensive design approach which is consistent with the character of the building and this is welcomed.
2. It is disappointing that the fourth floor extension has not been set further back from the roof line but on balance it is acceptable due to the size of the terrace area providing a buffer from the impact of the additional floor on the front building. Any future proposed reduction in the terrace area or enlargement of this part of the building would be firmly resisted.

Summary

The revisions address most of the concerns with this application and are on balance considered to be acceptable to secure a viable use for this locally listed building. The character of the building will be largely retained and the proposed alterations and enlargements will have a limited impact on the conservation area and is therefore recommended for approval.

GCC Highways Planning Liaison Officer

29th March 2016

This response is based on the following amended information:

Technical Note

0618-017B

0618-018B

0618-019A

Road Safety Audit

The Highway Authority initially raised concerns regarding the vehicular and pedestrian visibility at the existing access. The developer has undertaken to improve the visibility at the junction by building the kerb out by approximately 300mm. The submitted plans show 54m junction visibility is available to the signal controlled junction and 30m to the junction. The Technical Note demonstrates that based on the radii of the bend, using MfS2 guidance, that 30m visibility is suitable for the anticipated vehicle speeds. Pedestrian visibility and driver to driver inter visibility has also been demonstrated on plan. A bollard will be provided either side of the access to ensure that vehicles exit in the centre of the access; this will ensure that pedestrians can see and be seen by drivers exiting the site. The width of the existing access is relatively narrow and not suitable for two vehicles to pass, however given the need to re-use the existing building and the local constraints, the access is considered acceptable to serve the development. A road safety audit has not identified any safety problems with the proposals.

I recommend that no highway objection be raised to this application subject to the following conditions being attached to any permission granted:

The proposed highway works, including kerb build out, bollards, junction and pedestrian visibility splays shall be provided in accordance with the approved drawings 17B, 18B and 19A, before any of the dwellings are first occupied and shall be maintained as such thereafter.

Reason: To ensure that there is a safe and suitable access available, in accordance with the National Planning Policy Framework.

The buildings hereby permitted shall not be occupied until the vehicular parking facilities have been provided in accordance with the approved plan and those facilities shall be maintained available for those purposes thereafter.

Reason: To ensure that a safe, suitable and secure means of access for all people that minimises the conflict between traffic and cyclists and pedestrians is provided in accordance with the National Planning Policy Framework.

Informative:

The proposed development will involve works to be carried out on the public highway and the Applicant/Developer is required to enter into a legally binding Highway Works Agreement (including an appropriate bond) with the County Council before commencing those works.

5. PUBLICITY AND REPRESENTATIONS

- 5.1 Letters of notification were sent out to 38 neighbouring properties. In addition, a site notice was posted and an advert published in the Gloucestershire Echo. In response to the publicity, two representations have been received – see attached.

6. OFFICER COMMENTS

6.1 Determining Issues

- 6.1.1 The key considerations when determining this application are the principle of the proposed development; the design and layout of the scheme and its impact on the conservation area; the potential impact on neighbouring amenity; and highways safety considerations.

6.2 The site and its context

- 6.2.1 The application site is located on the eastern side of Winchcombe Street within the Old Town Character Area, one of 19 character areas that together form Cheltenham's Central Conservation Area. The site is also located within the Core Commercial Area and Central Shopping Area.
- 6.2.2 To the front, the site is occupied by a two storey building with a pitched, part hipped, roof and brick elevations. Whilst not a statutory listed building, the building is locally indexed for its local architectural value and historic interest, and unusual brickwork. The building is notable for the use of glazed blue brick at ground floor and as a string course, and is considered an attractive building despite its utilitarian appearance.
- 6.2.3 To the rear, a large three storey, red brick, warehousing range extends along the southern and eastern site boundaries, with an open courtyard alongside.
- 6.2.4 The building dates from c1890 and was constructed as a corn and seed merchants with the frontage building being used as shop premises, and the rear building used for storage and stabling. The building is unique in Cheltenham, having retained evidence of its former use, with features such as sack hoist lifts and trap doors, and distinctive arched windows with steel frames and multiple panes of glass, consistent with this type of building.
- 6.2.5 The building was last in use as an Arts Centre but has been vacant for a number of years and is in an extremely poor state of repair.

6.3 Principle of development

- 6.3.1 As noted above, the building is of local value but has been vacant for a number of years and is in a poor state of repair. As such, the principle of converting and extending the building to bring it back into a sustainable and active use is welcomed, subject to the material considerations set out below:

6.4 Design and layout

- 6.4.1** Local plan policy CP7 (design) requires all new development to be of a high standard of architectural design; to adequately reflect principles of urban design; and to complement and respect neighbouring development and the character of the locality. In addition, as a result of the buildings inclusion on the Index of Buildings of Local Importance, local plan policy BE11 (buildings of local importance) is triggered which seeks to resist any harmful alteration to the building.
- 6.4.2** At pre-application stage, in order to achieve the undercroft parking, it was proposed to change the internal floor levels resulting in the need to alter almost all of the original door and window openings to the rear warehousing range. Such fundamental alterations to the external elevations were considered to be wholly inappropriate and extremely harmful to the character and appearance of the building.
- 6.4.3** Whilst this application also proposes the creation of undercroft parking, requiring the removal of the ground and first floors and the provision of a new ground floor, the majority of the existing openings are shown to be retained, albeit in an altered form. During the course of the application, revisions have been secured to ensure that a consistent timber/glazed fixed door/window design approach is used across the site on the existing warehouse and stable building, and that the smaller windows all have the same appearance - i.e. with small panes. Such an approach would also ensure a suitable contrast to the large glazed sections in the proposal additional floor.
- 6.4.4** The extent of accommodation within this new floor of accommodation, which is contemporary in design, has also been reduced during the course of the application to lessen its visibility and impact on the conservation area.
- 6.4.5** The Conservation Officer considers that *“On balance the contemporary interventions which include the large voids to accommodate lower ground floor parking and the additional glazed storey...do not conflict with the overall industrial aesthetic of the building”*.
- 6.4.6** This view is shared by the Civic Society who think *“that what is proposed retains the essential character of the old mill buildings”* and that *“given that the structure is not listed - that alterations necessary to make it a workable scheme must be accepted, provided the overall character of the building is retained”*. Additionally, the Architects’ Panel consider the additional storey and new roof profile *“to be perfectly acceptable in this location. The panel were pleased the scheme retained much of the original building features”*.
- 6.4.7** The proposals are considered to accord with the requirements of local plan policies CP7 and BE11.

6.5 Impact on neighbouring amenity

- 6.5.1** Local plan policy CP4 (safe and sustainable living) advises that development will only be permitted where it will not cause unacceptable harm to the amenity of adjoining land owners or the locality.
- 6.5.2** Given the town centre location, and the nature of the surrounding development, it is not considered necessary to impose the conditions suggested by Environmental Health. Additionally, for the same reasons, it is not considered that the proposal would result in any significant or unacceptable impact on neighbouring amenity.
- 6.5.3** The only area of concern relates to a terrace at fourth floor level which would serve Flat 11. This terrace, adjacent to Fishers Lane, would be in close proximity to the rear gardens of properties recently constructed on the former Haines and Strange site to the rear and would allow direct overlooking of these gardens. Therefore, should Members be minded to grant

planning permission, a condition is suggested which requires details of a privacy screen to be submitted for approval.

6.5.4 The proposals therefore meet the requirements of policy CP4.

6.6 Access and highway issues

6.6.1 Local plan policy TP1 (development and highway safety) sets out that development will not be permitted where it would endanger highway safety by altering or increasing the use of an existing access where it would be hazardous to highway users unless a satisfactory improvement has been carried out.

6.6.2 The Highway Authority initially raised concerns regarding the vehicular and pedestrian visibility at the existing access. In response to these concerns, the developer is now proposing to improve the visibility at the junction by building the kerb out by approximately 300mm. In addition, a bollard will be provided either side of the access to ensure that vehicles exit in the centre of the access; this will ensure that pedestrians can see and be seen by drivers exiting the site. A road safety audit has not identified any safety problems with the proposals.

6.6.3 A total of 12no. car parking spaces would be provided within the curtilage of the site, together with ample secure and covered cycle parking.

6.6.4 Therefore, the proposals are considered to be acceptable in relation to the requirements of policy TP1.

6.7 Other considerations

6.7.1 As the application proposes new residential development, provision for play space would be required to meet the requirements of local plan policy RC6 (play space in residential development). As on-site play space provision is clearly not feasible in this location, policy RC6 envisages a commuted sum in order to achieve its requirements and it is considered that this matter could be adequately dealt with by way of a condition.

7. CONCLUSION AND RECOMMENDATION

7.1 Given the poor condition of the existing buildings on site and the lack of any realistic opportunities to redevelop the site wholly for commercial purposes, the principle of redeveloping the site for residential use is considered to be acceptable.

7.2 Officers consider that any identified harm to the building is far outweighed by the benefits of providing new residential accommodation within this highly sustainable location, together with the benefits the proposed scheme would bring to the appearance of the locally indexed building and the wider conservation area.

7.3 In addition, following the submission of revised/additional detail, the scheme would not result in any significant or unacceptable harm to neighbouring amenity or highway safety.

7.4 Therefore, in conclusion, the recommendation is to grant planning permission subject to the following conditions:

8. SUGGESTED CONDITIONS

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
Reason: To accord with the provisions of Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 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.
- 3 Prior to their installation, the design and details including materials and finishes of the following items shall be submitted to and approved in writing by the Local Planning Authority:
 - a. All external doors and windows (including head and cill treatment and reveals)
 - b. Rooflights
 - c. External cladding to additional floor
 - d. Rainwater goods
 - e. Extract/boiler flues
 - f. Entrance gates

The design and details shall be accompanied by elevations and section drawings to a minimum scale of 1:5 together with full size cross section profiles. The works shall thereafter be implemented strictly in accordance with the agreed details.

Reason: To ensure a satisfactory form of development in accordance with Local Plan Policies CP3 and CP7 relating to sustainable environment and design, and national guidance set out within the National Planning Policy Framework and the Historic Environment Planning Practice Guide. These are important details which need to be constructed in the traditional local manner to ensure that the development is compatible with its surroundings.

- 4 Details of a privacy screen to serve the external terrace to Flat 11 shall be submitted and approved in writing by the Local Planning Authority. The approved privacy screen shall be installed prior to first occupation of Flat 11 and retained as such thereafter.
Reason: To safeguard the amenities of neighbouring properties in accordance with Local Plan Policy CP4 relating to safe and sustainable living.
- 5 Prior to first occupation of any of the dwellings hereby permitted, a scheme for the provision or improvement of recreational facilities to serve the proposed dwelling(s) shall be submitted to and approved in writing by the Local Planning Authority. The dwelling(s) shall not be occupied until the approved scheme has been implemented.
Reason: To avoid any increase in the Borough's imbalance between population and the provision of outdoor play space and related facilities in accordance with Local Plan Policy RC6 relating to play space in residential development.
- 6 Prior to first occupation of any of the dwellings hereby permitted, the proposed vehicular and cycle parking facilities shall be provided in accordance with approved Drawing No. 1257 10B and thereafter maintained available for those purposes thereafter.
Reason: To ensure that adequate parking facilities are available within the curtilage of the site in accordance with Local Plan Policy TP1 (development and highway safety) and national guidance set out within the National Planning Policy Framework.
- 7 Prior to first occupation of any of the dwellings hereby permitted, the proposed highway works, including kerb build out, bollards, junction and pedestrian visibility splays shall be carried out in their entirety in accordance with approved Drawing Nos. 0618-017 B, 0618-018 B and 0618-019 A, and thereafter maintained as such thereafter.
Reason: To ensure that a safe, suitable and secure means of access for all people that minimises the conflict between traffic and cyclists and pedestrians is provided in

accordance with Local Plan Policy TP1 (development and highway safety) and national guidance set out within the National Planning Policy Framework.

- 8 Prior to first occupation of the development, the proposed refuse and recycling facilities (including appropriate containers in accordance with adopted Supplementary Planning Document - Waste Minimisation in Development Projects) shall be provided in accordance with approved Drawing No. 1257 10B and thereafter maintained available for those purposes thereafter.

Reason: To achieve sustainable waste management and to facilitate recycling in accordance with Gloucestershire Waste Local Plan Policy W36 relating to waste minimisation.

- 9 No wires, pipe work, satellite dishes or other aerials, alarms or other paraphernalia shall be affixed to the external elevations of the development unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect and maintain the character and appearance of the area in which this development is located in accordance with Local Plan Policies CP3 and CP7 relating to sustainable environment and design, and national guidance set out within the National Planning Policy Framework and the Historic Environment Planning Practice Guide. Careful consideration has been given to the detailed design of this development and its relationship with neighbouring properties.

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, the authority sought revisions/additional information to ensure the retention of the character of the building and to address highways concerns.

Following these negotiations, the application now constitutes sustainable development and has therefore been approved in a timely manner.

- 2 The proposed development will involve works to be carried out on the public highway and the Applicant/Developer is therefore required to enter into a legally binding Highway Works Agreement (including an appropriate bond) with the County Council before commencing those works.