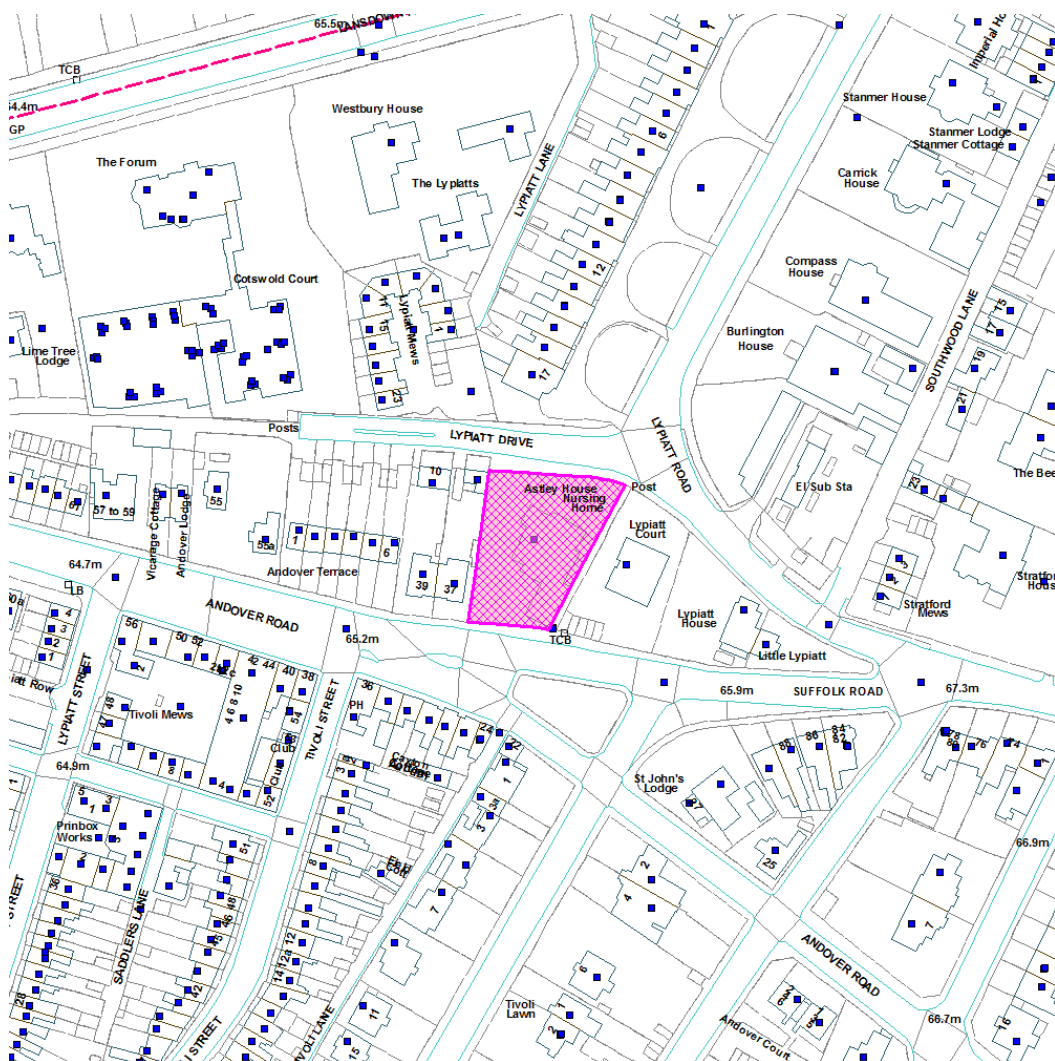


APPLICATION NO: 16/00499/FUL & LBC		OFFICER: Miss Michelle Payne
DATE REGISTERED: 23rd March 2016		DATE OF EXPIRY: 18th May 2016
WARD: Park		PARISH: N/A
APPLICANT:	Mr Ashley Jones	
AGENT:	John Sharp Design	
LOCATION:	Lypiatt Lodge, Lypiatt Road, Cheltenham	
PROPOSAL:	Part two storey, part single storey rear extension to form new dining room on the ground floor with extended kitchen over (revised scheme)	

RECOMMENDATION: Refuse



This site map is for reference purposes only. OS Crown Copyright. All rights reserved Cheltenham Borough Council 100024384 2007

1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 Lypiatt Lodge, formerly known as Astley House, is a grade II listed building located within the Lansdown Character Area, one of 19 character areas that together form Cheltenham's Central Conservation Area. The building is highly prominent within the street scene with views available from both Lypiatt Terrace, and Andover Road to the rear.
- 1.2 The building was first constructed as a pair of semi-detached villas, c1840-50, but has been in use as a residential nursing home for a number of years. The building has been previously extended by way of a large modern extension to the rear.
- 1.3 The building is currently undergoing an extensive programme of external repair and maintenance.
- 1.4 This application is seeking planning permission and listed building consent for the erection of a part two storey, part single storey rear extension to form new dining room on the ground floor with extended kitchen over. It is a revised scheme following the withdrawal of an alternative proposal.
- 1.5 Minor revisions have been made during the course of the application in response to comments from the Environmental Health Officer.
- 1.6 The application is before the planning committee at the request of Cllr Wilkinson on behalf of the applicant.

2. CONSTRAINTS AND PLANNING HISTORY

Constraints:

Conservation Area
Listed Building
Smoke Control Order

Planning History:

CB14274/00	PERMIT	13th December 1978
Demolition of the conservatory and erection of study		
CB10530/02	PERMIT	25th April 1980
Conversion of garden store to self-contained flatlet and erection of new store		
CB10530/03	PERMIT	21st March 1991
Addition of lift and atrium plus extra floor on existing addition		
CB14274/01	PERMIT	23rd January 1992
Change of use from residential flats to Nursing Home; demolition of garages and construction of car parking area in accordance with revised plans received on 23 Dec 91 and 10 Jan 92		
CB22367/00	PERMIT	12th November 1998
Demolition of existing office block at rear and construction of two storey extension (revised plans)		
CBL1671/00	PERMIT	17th June 1999
Demolition of office block, two storey extension and internal alterations		

CB22367/01 Proposed conservatory	PERMIT	17th June 1999
CBL1671/01 Proposed conservatory	PERMIT	17th June 1999
00/00102/LBC Removal of existing metal window and replacement with timber window	GRANT	27th March 2000
15/01569/LBC Cleaning, repair and replacement of natural stone surfaces and features	GRANT	12th February 2016
15/02010/FUL Two storey rear extension to form new dining room on the ground floor with extended kitchen over	WITHDRAWN	2nd February 2016
15/02010/LBC Two storey rear extension to form new dining room on the ground floor with extended kitchen over together with internal refurbishment works and upgrading	WITHDRAWN	2nd February 2016

3. POLICIES AND GUIDANCE

Adopted Local Plan Policies

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

Supplementary Planning Guidance/Documents

Lansdown Character Area Appraisal and Management Plan (2008)

National Guidance

National Planning Policy Framework

4. CONSULTATION RESPONSES

Building Control

24th March 2016

No comment.

Architects Panel

7th April 2016

Design Concept: The panel had no objection to the principle of the development and could see positive benefits in removing unsightly rear additions and extending the property to improve the rear elevation.

Design Detail: The panel had concerns that the new dining room extension was out of scale with the house and questioned the need for a pitched roof and the replication of the eaves details of the larger existing West wing. A simpler taller parapeted extension was thought to be more appropriate.

Recommendation: Support subject to dining hall design amendments.

Cheltenham Civic Society

13th April 2016

No comment.

Tree Officer

20th April 2016

The Tree Section maintains the objection to this application.

Following Trees Officer comment of December 2015, there is still no BS 5837 (2012) tree survey and correspondingly the constraints posed by the large copper beech as well as lime trees to the rear do not appear to have been assessed. The proposed rear extension and associated footpath adjacent (to the west) will incur into this tree's root protection area. To excavate into this area at 5 metres from the trunk will likely cause significant damage and possible instability of the tree as a whole through damage/severance of roots.

It is suggested that this extension is reconsidered and moved/altered whilst taking account of this tree (which is worthy of a TPO) and the rooting footprint it inhabits.

Future applications must be accompanied by a BS5837 (2012) survey, method statement for working around the tree, tree protection plan, and access facilitation proposals, etc.

Heritage and Conservation

20th April 2016

1. The principle of further developing this site is not considered at this stage to be acceptable as, although the plot size is large so is the listed building, which already has a large two storey extension dating from the late 20th C as well as additional piecemeal extensions to the building from various different phases of development. The plot is wide but relatively shallow and the rear of the building is very visible from Andover Rd/Suffolk Rd.
2. There may be scope to rationalise the modern additions and create new spaces but as proposed there are serious concerns with the overall quality of the design, the massing and the size of the proposed extensions, which cumulatively will have a detrimental impact on the listed building giving the impression of overdevelopment and the over-intensive use of this sensitive and very visible site.
3. The building has evolved through a number of phases from a pair of semi-detached mid-Victorian villas to the building it is today: the footprint in 1884 shows a large building divided into two: Lypiatt Lawn and Lypiatt Lodge. The rear elevation of the two dwellings has an irregular footprint which includes back to back service ranges. Added to this over time has been the following: on the east side of the building a substantial L-shaped two storey extension with a large pitched overhanging roof and a flat roofed single storey projection across the rear, above this has been added a conservatory which sits back behind a terrace which is contained by a reconstituted stone balustrade, this projects forward of the original service range of the building but is in line with a two storey above ground extension with a lean-to roof which is over half the width of the rear range. To the side of the range there is a further two storey above ground lean-to extension partially supported on pillars with glazed sides at ground floor level. There is a large single storey lower ground floor extension on the west elevation with sloped access.
4. The above demonstrates the ad hoc approach that hitherto has been adopted which has resulted in the rear of the building lacking any architectural coherence.

5. Part of the proposed scheme is intended to address some of these issues: namely to replace two of the two-storey extensions with a single two storey extension that covers half the rear range: the height for this range has been taken from the highest point of the existing pitches which will noticeably increase the height and bulk of this part of the building. In addition the extension will wrap around the west corner extending the footprint to the side by a further 2.5m. Existing openings will become blind windows and one extra window added to the large expanse of masonry. This featureless extension is function over form and substantially lacks interest and should be reconsidered.
6. The proposal to remove the first floor conservatory and replace it with a flat roofed masonry structure in itself is acceptable as the conservatory is of no merit but it is yet another boxy addition sitting awkwardly alongside a modern extension.
7. Furthermore the metal stairs and lift shaft should be incorporated into the scheme rather than as additional visually intrusive structures to the building.
8. The particular concerns with the design are represented by the proposed single storey extension with an overhanging double pitched roof following the design of the post-modern wing. The architectural style of this extension is a loose interpretation of an Italianate style which does not relate to the historic building and in particular the rear of the building. In my opinion the two storey wing is of its time and does not merit being reproduced in a further diluted form.
9. The footprint of the proposed extension is large, on a similar scale to the other wing and combined will severely erode the external space around the building.
10. Extending the building to the degree proposed would significantly intensify the use of the site; and further diminish the building's historic and architectural special qualities; erode the open space around the building and represent over-development of the site which would adversely harm the setting of the listed building and the conservation area.

Conservation and Heritage summary

These proposals as they stand cannot be supported at an officer level but the principle of a modest extension on the building and proposals to enhance the rear elevation by removal or re-design of some of the later additions may be acceptable subject to an appropriate design.

Environmental Health

27th April 2016

This application looks a bit thin on detail relating to the kitchen extraction system. The plans show a fan unit venting through the roof, in close proximity to residents rooms. I think this is likely to be insufficient for the size of kitchen and potentially will cause disruption to residents due to noise and cooking odours.

I would therefore suggest that this proposed development will require a bespoke design for the kitchen extractor system, and details of such should be supplied by the applicant before I provide further comment.

28th April 2016

Looks a bit better, I would still suggest that they need to do a detailed design of the system, and submit the details of noise levels affecting nearby residential property (including their own), but that could be added as a condition to any permission granted under this application.

Suggested condition:

Prior to the commencement of development, a scheme for the control of noise and odour from the kitchen air extraction system shall be submitted to and approved in writing by the Local Planning. The approved noise and odour control scheme shall be implemented on site prior to the extraction system being brought into use and shall thereafter be maintained in strict accordance with the manufacturers and installers instructions, details of which must be submitted as part of the scheme.

Reason: To safeguard the amenity of adjoining properties and to protect the locality in accordance with Local Plan Policy CP4 relating to safe and sustainable living.

5. PUBLICITY AND REPRESENTATIONS

- 5.1 Letters of notification were sent out to 16 neighbouring properties. In addition, a site notice was posted adjacent to the site, and an advert published in the Gloucestershire Echo. Two representations have been received in response to the publicity, both of which are in support of the proposals. The comments have been circulated to Members in full.

6. OFFICER COMMENTS

To follow in an update

7. SUGGESTED REFUSAL REASON

Lypiatt Lodge, Lypiatt Road is a Grade II listed building of architectural and historic importance, and the Local Planning Authority is therefore required to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

As proposed, the extension, by virtue of its design, massing and size, and the consequent erosion of space around the building would harm the character, appearance and setting of the listed building.

Accordingly, the proposals are contrary to sections 16(2) and 66 (1) of the Planning (Listed Buildings & Conservation Areas) Act 1990, national policy set out in the NPPF and in the Historic Environment Good Practice Advice In Planning and policy CP7 and BE9 of the Adopted Cheltenham Borough Local Plan.

APPLICATION NOS: 16/00499/FUL & LBC		OFFICER: Miss Michelle Payne
DATE REGISTERED: 23rd March 2016		DATE OF EXPIRY: 18th May 2016
WARD: Park		PARISH:
APPLICANT:	Mr Ashley Jones	
AGENT:	Mr John Sharp	
LOCATION:	Lypiatt Lodge, Lypiatt Road, Cheltenham	
PROPOSAL:	Part two storey, part single storey rear extension to form new dining room on the ground floor with extended kitchen over together with internal refurbishment works and upgrading (revised scheme) Internal refurbishment and upgrading	

Update to Officer Report

1. OFFICER COMMENTS

- 1.1 As set out in the main report, the proposals are not supported by the Conservation Officer. Whilst the Conservation Officer acknowledges that there may be scope to rationalise the later modern additions to the building in order to create some additional space, there are serious concerns with the overall quality of the design, the massing and the size of the proposed extensions, which cumulatively will have a detrimental impact on the listed building giving the impression of overdevelopment and the over-intensive use of this sensitive and very visible site.
- 1.2 Overall, officers consider the harm to the grade II listed building to be less than substantial, and therefore paragraph 134 of the NPPF requires this harm to be “weighed against the public benefits of the proposal, including securing its optimum viable use”.
- 1.3 Paragraph 020 of the NPPG provides guidance as to what is meant by the term ‘public benefits’. It suggests that public benefits should be “of a nature or scale to be of benefit to the public at large and should not just be a private benefit”. However, it also highlights that benefits do not always have to be “accessible to the public in order to be genuine public benefits”. Heritage benefits may include sustaining or enhancing the significance of a heritage asset and the contribution of its setting; reducing or removing risks to a heritage asset; or securing the optimum viable use of a heritage asset in support of its long term conservation.
- 1.4 The submitted Design and Access Statement outlines the aim and purpose of the proposals. Principally, the works would provide for an enlarged kitchen at ground floor to allow for the preparation of meals on site, and the creation of a new dining/lounge area at lower ground floor level with dumb waiter facility.
- 1.5 Although officers acknowledge the benefits that such proposals would bring, to both staff and residents, such benefits are limited and are not in any way beneficial to the building. As such, the public benefits would not outweigh the harm to the listed building.
- 1.6 The recommendation therefore is to refuse both planning permission and listed building consent for the following reason:

2. SUGGESTED REFUSAL REASON

Lypiatt Lodge, Lypiatt Terrace is a grade II listed building of architectural and historic importance, and the Local Planning Authority is therefore required to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

As proposed, the extension, by virtue of its design, massing and size, and the consequent erosion of space around the building would harm the character, appearance and setting of the listed building.

Accordingly, the proposals are contrary to sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, national policy set out in the NPPF and in the Historic Environment Good Practice Advice In Planning and policies CP7 and BE9 of the Adopted Cheltenham Borough Local Plan.