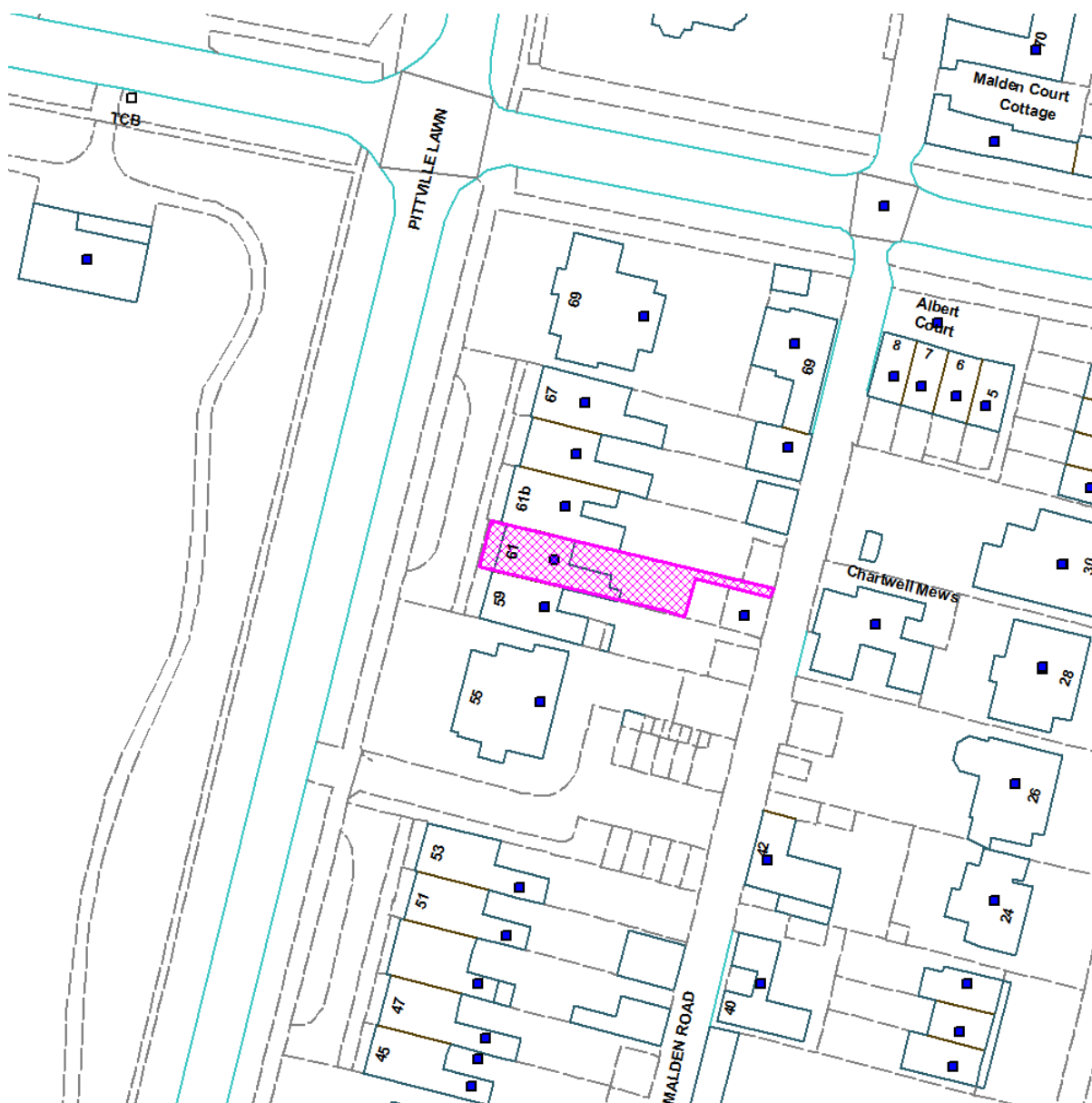


APPLICATION NO: 18/01947/FUL & LBC		OFFICER: Mr Nikita Hooper
DATE REGISTERED: 27th September 2018		DATE OF EXPIRY: 22nd November 2018
DATE VALIDATED: 27th September 2018		DATE OF SITE VISIT: 4th October 2018
WARD: Pittville		PARISH:
APPLICANT:	Mr J Laenen	
AGENT:	SF Planning Limited	
LOCATION:	61 Pittville Lawn, Cheltenham	
PROPOSAL:	Erection of a small single storey extension at basement level, minor internal works including reconfiguration of basement layout (part regularisation)	

RECOMMENDATION: Refuse



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1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 61 Pittville Lawn is a terraced building of three storeys over a basement. To the rear is a small garden area and the principal (front) elevation faces Pittville Lawn.
- 1.2 The application seeks planning permission and listed building consent for the erection of a small single storey extension at basement level, minor internal works including reconfiguration of basement layout (part regularisation).
- 1.3 The applications result from an investigation undertaken by the Local Authority's Planning Enforcement Team into the seemingly unlawful removal of an historic lath and plaster ceiling from the listed building, contrary to the provisions of the Planning (Listed Buildings and Conservation Areas) Act 1990. The scheme seeks, in part, listed building consent (retrospective) to regularise the loss of historic fabric.
- 1.4 Suitable revisions were sought from the planning agent but none were subsequently submitted.
- 1.5 The proposal follows applications 18/00701/LBC and 18/00701/FUL which were withdrawn.
- 1.6 The applications are before committee at the request of Councillor Dennis Parsons, "If you are minded to refuse, can I please call this in" (email of 1 October 2018) [no reason(s) given].

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Airport Safeguarding over 45m
Conservation Area
Listed Buildings Grade 2
Residents Associations

Relevant Planning History:

18/00701/LBC 28th September 2018 WDN

Alteration to make the basement floor accessible from the main house, remove part of internal wall and put a supportive steel beam in place

18/00701/FUL 10th September 2018 WDN

Erection of a small single storey extension at basement level, minor internal works including reconfiguration of basement layout

3. POLICIES AND GUIDANCE

Adopted Joint Core Strategy Policies
SD8 Historic Environment

Supplementary Planning Guidance/Documents
Central conservation area: Pittville Character Area and Management Plan (July 2008)

National Guidance
National Planning Policy Framework

4. PUBLICITY AND REPRESENTATIONS

Number of letters sent	3
Total comments received	2
Number of objections	0
Number of supporting	0
General comment	2

4.1 A site notice was displayed and the application(s) listed in the Gloucestershire Echo.

4.2 Responses are attached to this report

Severn Trent Water

22nd October 2018

Thank you for the opportunity to comment on this planning application. Please find our response noted below:

With Reference to the above planning application the company's observations regarding sewerage are as follows.

As the proposal has minimal impact on the public sewerage system I can advise we have no objections to the proposals and do not require a drainage condition to be applied.

Severn Trent Water advise that there may be a public sewer located within the application site. Although our statutory sewer records do not show any public sewers within the area you have specified, there may be sewers that have been recently adopted under the Transfer Of Sewer Regulations 2011. Public sewers have statutory protection and may not be built close to, directly over or be diverted without consent and contact must be made with Severn Trent Water to discuss the proposals. Severn Trent will seek to assist in obtaining a solution which protects both the public sewer and the building.

Please note if you wish to respond to this email please send it to Planning.apwest@severntrent.co.uk where we will look to respond within 10 working days. Alternately you can call the office on 01902 793851.

5. OFFICER COMMENTS

5.1 Significance

5.2 The building is listed at Grade II (list entry number: 1387472) and forms part of a terrace of five buildings that were constructed between 1836 and 1838; the work of the local architect John Forbes. As the principal architect to Joseph Pitt (1752-1842) Forbes work includes designing Pittville Pump Room.

5.3 The basements of houses of this type and period were used as service areas and not designed for habitation. Their plan form often reveals specific aspects of their use and reflects clear social and functional divisions within the household and the building; a hierarchy. Whilst built from traditional materials of the period, any detailing is much simpler than that in the higher status rooms/floors, reflecting their function and lower status. Though often historically and architecturally overlooked, basements reveal much about the social history and function of Regency houses, clearly contributing to their significance.

- 5.4** The 'lounge'/'lobby' and staircase area of the basement of No. 61 (as per drawing 61.PL.C.SU.01) clearly demonstrates the remnants of the historic plan form and along with the historic materials are important aspects of the significance of the building.
- 5.5** The proposal site is situated in the Central Conservation Area (Pittville Character Area); a designated heritage asset.
- 5.6 Consideration**
- 5.7** The proposed rear extension (boiler room) is acceptable as it would not cause detriment to amenity or the significance of the listed building.
- 5.8** Section 16 (2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the local planning authority when considering whether to grant listed building consent to "have special regard to the desirability of preserving the building...or any features of special architectural or historic interest which it possesses."
- 5.9** Policy SD8 (Historic Environment) of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy 2011-2013 (adopted December 2017) (JCS) states that "Designated...heritage assets and their settings will be conserved and enhanced as appropriate to their significance."
- 5.10** The Heritage, Design and Access Statement as submitted as part of the application, makes reference to a scheme at No. 59 Pittville Lawn that was granted consent in 2006; however in line with the consistent approach of the Planning Inspectorate stated in numerous appeal decisions "each proposal must be considered on its own merits" (Appeal Ref: APP/B1605/D/16/3165361 – 6 February 2017) and therefore the application has been considered in this manner.
- 5.11** The statement declares that "the basement level of the building...has little historical features remaining". It is considered that this position does not justify the loss of further historic fabric or form and in fact emphasises the evidential value of the remnants which contribute to the significance of the listed building. The National Planning Policy Framework (2018) (NPPF) states in regard to heritage assets, that they "are an irreplaceable resource, and should be conserved in a manner appropriate to their significance" (paragraph 184).
- 5.12** The 'lounge' in plan represents the original extent of a principal basement room. The historic wall that divides the 'lobby' from the 'lounge' is likely to have had a door of standard width and could no doubt be located and re-opened allowing a suitable means of access/connectivity in keeping with the original form. Whilst the supporting statement contends that part of the wall has been "significantly altered with the insertion of blockwork in places", the extent appears to be only a very minor proportion of the wall, perhaps a form of unsympathetic repair; and the associated image clearly shows historic brick work. The demolition of the majority of the wall would entail the loss of historic fabric and the plan form would be severely compromised, harming the significance of the listed building.
- 5.13** The scheme proposes the removal of what appears to be an historic wall that divides/encloses the stairs from the 'lobby' area and the installation of a timber handrail and balustrade. Open stairs with balustrading would be found serving the floors with higher status, whereas enclosed stairs would provide some further insulation from noise and odours from the service level. Opening the basement stairs as per the proposal would mean the loss of historic fabric and would distort the status and functional nature of the basement within the building to the detriment of its significance.
- 5.14** The seemingly unlawful removal of the lath and plaster ceiling in the 'lobby' area has harmed the significance of the building, as historic fabric provides evidential value.

- 5.15** The NPPF at paragraph 193, requires Local Planning Authorities when considering the impact of a proposed development on the significance of a designated heritage asset, to give great weight to the conservation of the asset; and the more important the asset, the greater the weight should be. This is irrespective of whether any potential harm equates to substantial harm, total loss or less than substantial harm to its significance.
- 5.16** Paragraph 196 of the NPPF states that where a proposal will lead to less than substantial harm to the significance of a designated heritage asset, that this harm should be weighed against the public benefits of the proposal.
- 5.17** The proposal will harm the significance of the designated heritage asset and the degree is considered to be less than substantial. When balancing the harm against the public benefits of the proposal the NPPF requires great weight to be given to the conservation of the assets. The application provides no evidence as to the public benefit of the scheme: the Heritage, Design and Access Statement mentions that the proposal will maintain “the building in its optimal viable residential use as a single family dwelling”; however it seemingly functions as such at present and therefore no benefit is obtained, and whether this would be public is questionable and not substantiated. Given this the greater weight is clearly with the conservation of the designated heritage asset in the balancing exercise.

6. CONCLUSION AND RECOMMENDATION

- 6.1** The scheme would result in the loss of the remnants of historic fabric and the layout of the basement of building. It would distort the form and function of the historic service area and its position in the hierarchy of rooms and floors of the wider house. The scheme results in less than substantial harm to the significance of the listed building which is not outweighed by any substantiated public benefit which leads to a recommendation of refusal.
- 6.2** As work has been carried out without consent it is recommended that such be referred to Planning Enforcement.

7. REFUSAL REASONS

- 7.1** The application would lead to less than substantial harm to the significance of the listed building through the loss of historic fabric, layout and the distortion of functional and social aspects of the building. This harm is not outweighed by any substantiated public benefit.
- 7.2** The scheme is contrary to Section (2) of the Planning (Listed Buildings and Conservation Areas) Act 1990, the National Planning Policy Framework (2018) and Policy SD8 (Historic Environment) of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy 2011-2013 (adopted December 2017).