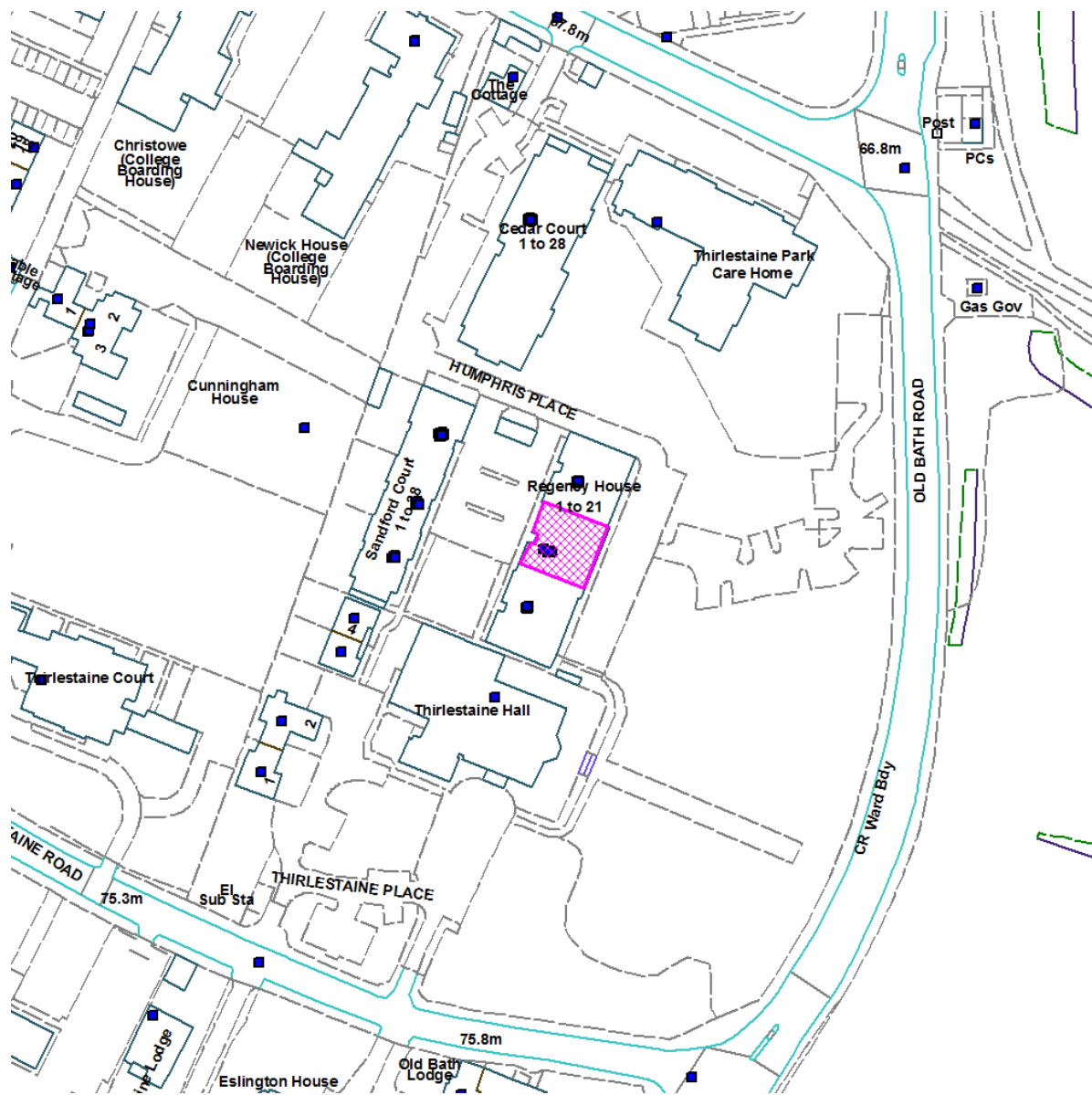


APPLICATION NO: 18/02630/FUL	OFFICER: Mr Daniel O Neill
DATE REGISTERED: 28th December 2018	DATE OF EXPIRY: 22nd February 2019
DATE VALIDATED: 28th December 2018	DATE OF SITE VISIT: 22nd January 2019
WARD: College	PARISH:
APPLICANT: Mr Edward Vickers	
AGENT: N/A	
LOCATION: 14 Regency House, Humphris Place, Cheltenham	
PROPOSAL: Erection of an external awning over sitting room window	

RECOMMENDATION: Permit



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 The application site is an area of land associated with Regency House, a newly developed residential site located on Humphris Place, within the grounds of Grade II listed Thirlestaine Hall. The site is located within the College Character Area, one of 19 character areas that form part of Cheltenham's Central Conservation Area.
- 1.2 The proposal is for the erection of an external awning over sitting room window for 14 Regency House, Humphris Place.
- 1.3 The application is before committee at the request of Cllr Klara Sudbury due to the impact of the proposed development on the character and appearance of the area. Members will visit the site on planning review.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Conservation Area
Smoke Control Order

Relevant Planning History:

12/00870/FUL 12th November 2012 OBL106

Demolition of former office buildings and redevelopment to create a mixed residential and care redevelopment of the site for a total of 147 units including the conversion of Thirlestaine Hall, Villas and Cottage

12/00870/LBC 12th November 2012 GRANT

Demolition of former office buildings and redevelopment to create a mixed residential and care redevelopment of the site for a total of 147 units including the conversion of Thirlestaine Hall, Villas and Cottage

12/00870/CAC 12th November 2012 GRANT

Demolition of existing former office buildings associated with the Chelsea Building Society

12/01889/FUL 20th June 2013 OBL106

Proposed amendments to assisted living block (building C) to include 4 additional assisted living units (24 to 28 units); revision to fenestration at ground level and internal layout; revisions to boundary wall at Thirlestaine Hall Cottage and relocation of cycle storage for the assisted living building

12/01889/LBC 20th June 2013 GRANT

Proposed amendments to assisted living block (building C) to include 4 additional assisted living units (24 to 28 units); revision to fenestration at ground level and internal layout; revisions to boundary wall at Thirlestaine Hall Cottage and relocation of cycle storage for the assisted living building

13/00175/DISCON 3rd June 2014 DISCHA

Discharge of conditions 3, 7, 9, 11, 15, 18, 19 and 40 of planning permission ref: 12/00870/FUL

13/00280/ADV 8th May 2013 GRANT

Erection of three strings of illustrated hoarding, seven free standing sign boards and six flag poles and flags

13/00380/DISCON 5th August 2013 DISCHA

Discharge of conditions 3, 6, 7, 21, 22, 24, 33, 40 and 41 in respect of building D (also identified as building 6) only on planning permissions 12/00870/FUL and 12/01889FUL.

13/00733/DISCON 3rd June 2014 DISCHA

Discharge of conditions on planning approval 12/00870/FUL. Nos 4 (schedule of works) , 6 (design and details of finishes) , 8 (method statements , 11 (sample panel of new render) , 13 (external lighting plan) , 26 (pedestrian improvements) , 27 (Sandford Road Accessd Works) , 36 (installation of fire hydrants), 38 (measures re seagulls) and 41 (landscaping)

13/00734/DISCON 3rd June 2014 DISCHA

Discharge of conditions on planning approval 12/00870/LBC. Nos 3 (detail and finishes) , 4 (method statements) and 5 (render sample)

13/01379/AMEND 4th November 2013 PAMEND

Non-material amendments to planning approval 12/00870/FUL- 1. Building drawn to brick dimensions vertically and horizontally, 2. roof feature above main entrance added, 3. false window to side of central door to 2nd floor terrace changed, 4. window sizes amended to brick dimensions vertically and horizontally, 5. external door next to sun lounge beneath balcony removed, 6. WG36, WF31, WS42 moved 440mm to accomodate shower in corner of ass. bath, 7. roof lights increased in size and 8. replacement of ground floor windows - WG61, 58, 57, 54, 53, 50, 49, 45, 44, 41, 39, and 37 with door to garden area

14/01711/DISCON 29th January 2015 DISCHA

Discharge of condition 37 (Mangement plan - observatory) on planning permission ref: 12/00870/FUL

3. POLICIES AND GUIDANCE

Saved Local Plan Policies

CP 4 Safe and sustainable living

CP 7 Design

Adopted Joint Core Strategy Policies

SD4 Design Requirements

SD8 Historic Environment

Supplementary Planning Guidance/Documents

Central conservation area: College Character Area and Management Plan (July 2008)

National Guidance

National Planning Policy Framework

4. CONSULTATIONS

Building Control

4th January 2019

No comment.

5. PUBLICITY AND REPRESENTATIONS

Number of letters sent	46
Total comments received	6
Number of objections	6
Number of supporting	0
General comment	0

- 5.1** Letters of notification were sent to 46 neighbouring properties, a site notice was displayed at the entrance to Humphris Place on Sanford Road and an advert was published in the Gloucestershire Echo.
- 5.2** 6 letters of objection have been received and have been summarised but are not limited to the following points:
- Impact on the character and appearance of the existing building
 - Impact on the setting of the listed building
 - Impact on the wider conservation area
 - Visual Amenity
 - Precedent Set
- 5.3** Supporting comments have been sent to the officer from neighbouring properties of 14 Regency House indicating their approval for the erection of an awning.

6. OFFICER COMMENTS

6.1 Determining Issues

- 6.2** The main considerations to this application are size, style, materials and colour of the proposed awning, impact upon the character of the existing building, impact on the wider conservation area and neighbouring amenity.

6.3 The site and its context

- 6.4** The application site was recently redeveloped, formerly part of a commercial use operated within the grounds of the listed building Thirlestaine Hall, where a number of office blocks previously existed. The redevelopment created a complex of residential units now known as Cedar Court, Sanford Court and Regency House, as well as the erection of Thirlestaine Care Home.

- 6.5** The proposal is located at number 14, a residential unit on the third floor of Regency House, to which the awning will be located on the balcony overlooking the complex garden/car park.

- 6.6** The whole complex is bound by Sanford Road, Thirlestaine Road and Old Bath Road.

6.7 Design and Scale

- 6.8** The proposed awning will extend 2.3 metres in width across the sitting room glazed door and project at a maximum depth of 2 metres. It is considered acceptable in size as the balcony is measured at approximately 4 metres in depth. As such it would not dominate or detract the appearance of the existing building.

6.9 The proposed style, materials and colour compliments the existing fenestration and is clearly intended to be read as a modern addition but relatively simple in its form. It is in keeping with the more modern design of the building and as such should not harm the character and appearance of the existing building.

6.10 In light of the above the proposal complies with the objectives of Policy CP7 of the Local Plan and Policy SD4 of the JCS in relation to design.

6.11 Impact on the setting of the listed building and conservation area

6.12 A visit to the site was conducted in order to consider the impact on the setting of the listed building, Thirlestaine Hall, and the wider conservation area.

6.13 In regards to the impact of the proposal on the setting of the listed building, it is considered that the redevelopment of the site has already compromised the setting of the listed building. The proposed awning is approximately 40 metres away from the listed building and is located the facing woodland area. A proposal of this scale and in this location is not considered to cause any significant harm to the setting of the Thirlestaine Hall.

6.14 Similarly, when considering the impact on the wider conservation area, the site has a dense level of vegetation that forms the woodland area and the boundary of the site. A large number of mature trees are present in this area. Any views from the surrounding public realm, specifically Old Bath Road, will be limited. Therefore, it is considered that the proposal would not result in any unacceptable harm to the conservation area.

6.15 It is considered therefore, that the proposed awning complies with Policy SD8 of the JCS relating to the conservation of the historic environment.

6.16 Impact of neighbouring amenity

6.17 The location of the proposed awning is not considered to result in any unacceptable impact on neighbouring amenity in terms of loss of light or loss of privacy. No objections were received from the neighbouring properties adjacent to 14 Regency House.

6.18 A number of objections were submitted regarding the visual amenity of the proposal and it is acknowledged that the awning will be visible for occupants of the complex but only from the woodland area where the car park is located. It is considered that these views will also be broken by the dense level of vegetation and natural foliage. Additionally, it is considered not to be visible from other residential properties, as the proposed site is on the western elevation of Regency House overlooking the woodland area.

6.19 Additionally, some objecting comments raised the idea that an umbrella system could be deployed as a viable alternative to the proposed awning. It should be noted that planning permission would not be required, paving the way for an umbrella system that could be visually garish in design and more intrusive.

6.20 Therefore, the proposal is not considered to result in any unacceptable visual impact towards neighbouring properties, and their visual amenity. As it stands the proposal complies with Local Plan Policy CP4 and JCS Policy SD14 relation to impact on neighbouring amenity.

6.21 Other considerations

6.22 Objections raised by local residents regarding any future precedent set for further applications have been duly noted. It has been made aware to the applicant that this application has been considered on its own merits. Any future application for further awnings would need further careful consideration. The cumulative impact of further

awnings which may differ in design and scale could impact on the appearance of the existing building and impact on the wider conservation area.

7. CONCLUSION AND RECOMMENDATION

- 7.1** Having considered all of the above, the application is considered to be in accordance with all relevant Local Plan policies, adopted JCS policies and national policies.
- 7.2** Officer recommendation is to permit the application, subject to the conditions set out below:

8. CONDITIONS

- 1 The planning permission hereby granted shall be begun not later than the expiration of three years from the date of this decision.

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 planning permission hereby granted 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 All external facing and roofing materials shall match those of the existing building unless otherwise first agreed in writing by the Local Planning Authority.

Reason: In the interests of the character and appearance of the area, having regard to saved policy CP7 of the Cheltenham Borough Local Plan (2006) and adopted policy SD4 of the Joint Core Strategy (2017).

INFORMATIVES

- 1 In accordance with the requirements of The Town and Country Planning (Development Management Procedure) (England) Order 2015 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.