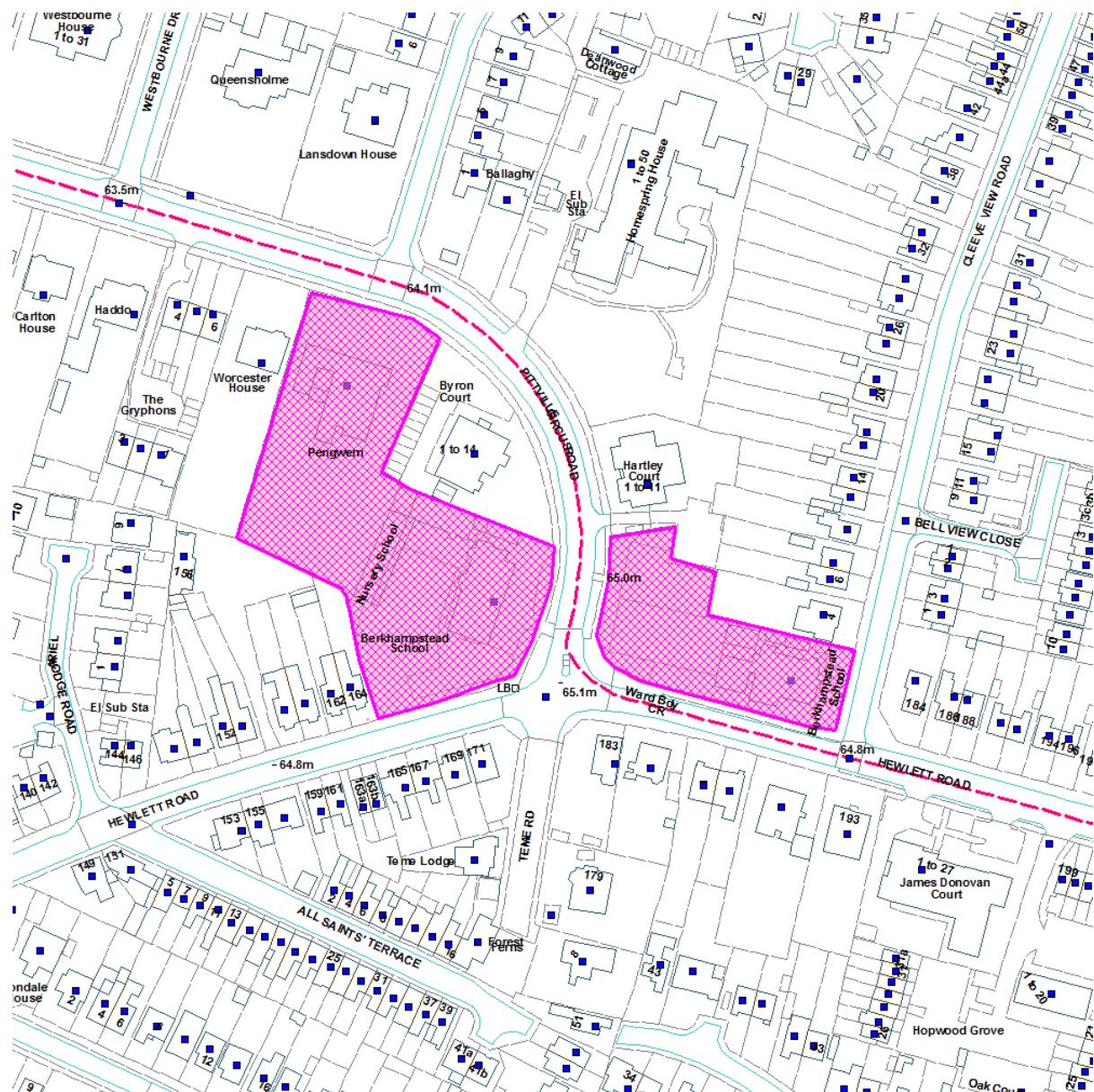


APPLICATION NO: 19/00388/FUL	OFFICER: Mr Ben Hawkes
DATE REGISTERED: 3rd March 2019	DATE OF EXPIRY: 28th April 2019
DATE VALIDATED: 3rd March 2019	DATE OF SITE VISIT: 15th March 2019
WARD: All Saints	PARISH:
APPLICANT: Berkhamstead School	
AGENT:	Future Rooms
LOCATION:	Berkhamstead School, Pittville Circus Road, Cheltenham
PROPOSAL:	Erection a timber framed building within the school grounds for use as a 'wellbeing pod'

RECOMMENDATION: Refuse



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1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The application site relates to part of the Berkhamstead School site, located within Cheltenham's Central Conservation Area.
- 1.2 The applicant is seeking planning permission for the erection of a timber framed building for use as a 'wellbeing pod' on land adjacent to the existing school building located on the corner of Cleeve View Road and Hewlett Road.
- 1.3 The application is at planning committee at the request of Councillor Wilkinson who considers the proposal to be 'appropriate for the site and would not result in harm to the area.'

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Conservation Area
Smoke Control Order

Relevant Planning History:

17/00784/FUL 19th June 2017 WDN

Proposed dropped kerb and parking area for school mini buses
00867/LBC

18/02081/FUL 14th December 2018 WDN

Erection of a timber framed garden room within the school grounds to provide extra school space.

3. POLICIES AND GUIDANCE

National Planning Policy Framework

Section 2 Achieving sustainable development
Section 4 Decision-making
Section 8 Promoting healthy and safe communities
Section 11 Making effective use of land
Section 12 Achieving well-designed places
Section 16 Conserving and enhancing the historic environment

Saved Local Plan Policies

CP 2 Sequential approach to location of development
CP 3 Sustainable environment
CP 4 Safe and sustainable living
CP 7 Design
BE 1 Open space in conservation areas
GE 6 Trees and development

Adopted Joint Core Strategy Policies

SP1 The Need for New Development
SD4 Design Requirements
SD8 Historic Environment
SD9 Biodiversity and Geodiversity
SD14 Health and Environmental Quality

Supplementary Planning Guidance/Documents

Central conservation area: Fairview and All Saints Character Area and Management Plan (July 2008)

4. CONSULTATIONS

Cheltenham Civic Society

22nd March 2019

While the Planning Forum welcomes this exciting initiative of a 'wellbeing pod', we suggest the design should be far more imaginative, especially while these children's aesthetics are still being developed. This building looks more like a storage shed, rather than a structure to inspire and enhance wellbeing.

Building Control

11th March 2019

The application will require Building Regulations approval. Please contact Cheltenham and Tewkesbury borough council on 01242 264321 for further information.

5. PUBLICITY AND REPRESENTATIONS

Number of letters sent	24
Total comments received	4
Number of objections	0
Number of supporting	4
General comment	0

5.1 24 letters were sent to neighbouring properties, a site notice was displayed and an advert was published in the Gloucestershire Echo. 3 letters of representation in support of the application have been received. The reasons have been summarised but are not limited to the below:

- Benefit to pupils/valuable resource
- Limited harm to the appearance of the area

6. OFFICER COMMENTS

6.1 Determining Issues

6.2 The considerations of this application are the design, impact on the conservation area, impact on existing trees and impact on neighbouring amenity.

6.3 The site and its context

6.4 The building adjacent to the proposed development is known as number 2 Cleeve View Road and forms part of the Berkhamstead school site. The site is located on the corner of Hewlett Road and Cleeve View Road and is within Cheltenham's Central Conservation Area.

6.5 The area of land to which the proposal is to be sited on is currently open garden land which is laid to lawn and includes soft landscaping and nearby mature trees.

6.6 Design and impact on the conservation area

6.7 The proposed structure is a timber framed building measuring approximately 5 metres in length, 3 metres in depth with a maximum overall height of 2.5 metres. The building is proposed to be located to the south of the existing building running adjacent to Hewlett Road. The application site has a particularly sensitive location being on the corner of Hewlett Road and Cleeve View Road, a new structure in this location will therefore be prominent in the street scene.

6.8 JCS policy SD8 states ‘Designated and undesignated heritage assets and their settings will be conserved and enhanced as appropriate to their significance, and for their important contribution to local character, distinctiveness and sense of place.’ Paragraph 193 of the NPPF states that ‘When considering the impact of the proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation.’ In this case, we are considering the impact on the conservation area.

6.9 Officers do not consider the proposal of a timber built structure as detailed and in this prominent and sensitive location to be acceptable; in the proposed location it would result in an incongruous addition to the street scene and would be harmful to the character of the conservation area. In an alternative and less sensitive location this form and design of proposal may well be acceptable. However, in the supporting statement the school suggests that this is the only feasible location within the ‘Berkhampstead School’ site for the proposed building. In addition to the officers concerns, the Civic Society has raised concerns with the design of the proposed development, which officers agree with.

6.10 It is therefore necessary to consider the level of harm resulting from this proposed development in accordance with paragraph 196 of the NPPF which states ‘Where a development proposal will lead to less than substantial harm to the significance of a designated asset, this harm should be weighed against the public benefits of the proposal’. Officers consider in this instance that the level of harm is less than substantial.

6.11 PPG paragraph 020 sets out that public benefits can be “anything that delivers economic, social or environmental progress” and should “flow from the proposed development” and “be of a nature or scale to be of benefit to the public at large”. Whilst the benefits to the school are acknowledged these benefits are not for the wider public. It is therefore the view of officers that there are no public benefits to outweigh the identified harm and it is for this reason that the proposal is considered to be contrary to local plan policy CP7, JCS policy SD8 and the relevant parts of the NPPF.

6.12 Impact on neighbouring property

6.13 Due to the scale of the proposed development, its position within the plot and the relationship with neighbouring properties, the proposal is not considered to result in any unacceptable impact on neighbouring amenity in terms of a loss of light or loss of privacy.

6.14 The proposal is therefore considered to be compliant with local plan policy CP4 and adopted JCS policy SD14.

6.15 Other considerations

6.16 There are a number of trees located in close proximity to where the proposed timber building is to be located, these trees are located both within the application site and adjacent to the site. No relevant tree information regarding the tree root protection area or the proposed foundation type has been submitted to support this application. The

council's tree officers are therefore unable to consider whether the development will have any harmful impact on these existing trees.

- 6.17 In the absence of this information the proposal is considered to be contrary to local plan policy GE6, Joint Core Strategy Policy INF3 and relevant guidance within the NPPF.

7. CONCLUSION AND RECOMMENDATION

- 7.1 Having considered all of the above, officer recommendation is to refuse the application for the reasons detailed above.

8. INFORMATIVES / REFUSAL REASONS

- 1 The application site forms part of Berkhamstead School, is located within Cheltenham's Central Conservation Area and has a prominent position on the corner of Cleeve View Road and Hewlett Road.

It is considered that the proposed timber framed building in the proposed location fails to preserve or enhance the character or appearance of Cheltenham's Central Conservation Area and would appear as an incongruous addition in the street scene. The proposal is deemed to be contrary to the design guidance contained within Local Plan Policies CP7, BE1, Joint Core Strategy Policy SD4 and the relevant guidance within the NPPF.

- 2 Insufficient information has been submitted to demonstrate that the proposed timber framed building will not have an unacceptable impact on the roots of the trees located within and adjacent to the site. The proposal is therefore considered to be contrary to local plan policy GE6, Joint Core Strategy Policy INF3 and relevant guidance within the NPPF.

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 authority cannot provide a solution that will overcome the harm to the conservation area.

As a consequence, the proposal cannot be considered to be sustainable development and therefore the authority had no option but to refuse planning permission.