

APPLICATION NO: 21/00171/FUL		OFFICER: Mrs Victoria Harris	
DATE REGISTERED: 28th January 2021		DATE OF EXPIRY: 25th March 2021	
DATE VALIDATED: 28th January 2021		DATE OF SITE VISIT: 10/03/21	
WARD: All Saints		PARISH:	
APPLICANT:	Mr Baker		
AGENT:	RRA Architects		
LOCATION:	16 Hewlett Road, Cheltenham, Gloucestershire		
PROPOSAL:	Alterations to rear of property to include first floor balcony with staircase, replacement door, new first floor window, and rear garden courtyard.		

RECOMMENDATION: Permit



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1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The application site relates to a mid-terraced three-storey property currently in use as offices on the ground floor and a residential property on the 1st and 2nd floor. The rear amenity space is currently used for parking and is accessed from Berkeley Street.
- 1.2 The site is located within the Sydenham Character Area of Cheltenham's Central Conservation Area.
- 1.3 The applicant is seeking planning permission for the construction of a rear balcony and external steps, which will allow access to a new rear garden courtyard. The application also seeks minor works consisting of a replacement door and a new first floor window.
- 1.4 The application is at committee due to the applicant being a Councillor of Cheltenham Borough Council.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Airport Safeguarding over 45m
Conservation Area
Core Commercial Area
Principal Urban Area
Smoke Control Order

Relevant Planning History:

10/01300/PREAPP CLO
Proposed Apartments

85/00905/PF 26th September 1985 PER
Alteration To Access

89/00176/AI 30th March 1989 PER
Display Of Illuminated Projecting Sign

96/00568/PC 12th September 1996 REF
Change Of Use From Shop To Dwelling
Including The Retention Of Existing Workshops At Rear And Provision Of
3 Parking Spaces As Amended By Letter Received On 12 Sep 96

15/01065/FUL 21st August 2015 PER
Refurbishment & Alteration to workshop at the rear of 16 Hewlett Road

15/01612/AMEND 16th September 2015 PAMEND
Non material amendment to planning permission 15/01065/FUL to allow fenestration modifications

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 12 Achieving well-designed places

Section 16 Conserving and enhancing the historic environment

Adopted Cheltenham Plan Policies

D1 Design

HE1 Buildings of Local Importance and Non-Designated Heritage Assets

SL1 Safe and Sustainable Living

Adopted Joint Core Strategy Policies

SD4 Design Requirements

SD8 Historic Environment

SD14 Health and Environmental Quality

INF1 Transport Network

Supplementary Planning Guidance/Documents

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

4. CONSULTATIONS

Building Control

10th February 202

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	12
Total comments received	0
Number of objections	0
Number of supporting	0
General comment	0

6. OFFICER COMMENTS

6.1 Determining Issues

6.2 The key considerations are the design, the impact on the historic environment and any impact on neighbouring amenity.

6.3 Design

6.4 Policy SD4 of the JCS and policy D1 of the Cheltenham Plan require development to be of a high standard of architectural design that responds positively to and respects the character of the site and its surroundings. This draws from paragraph 127 of the NPPF, which seeks development to be visually attractive and sympathetic to local character.

6.5 Policy SD8 of the Joint Core Strategy requires development to make a positive contribution to local character and distinctiveness, and having regard to the valued elements of the historic environment.

6.6 The new balcony is approximately 2.3m deep, 4.3m wide and 3m high with a glass/metal balustrade. The proposal is considered to be of an appropriate height and scale for its intended use and includes an appropriate use of materials. As such, it is therefore considered that a balcony and staircase in this location is acceptable, would achieve an acceptable design and would not harm the character of the conservation area.

6.7 The new balcony and staircase will allow access to the new garden. The new garden will be a welcome addition to the site and enhance the appearance of the conservation area.

6.8 The new window and door are in keeping with the existing fenestration to the rear of the property and therefore achieve an acceptable design.

6.9 Impact on neighbouring property

6.10 Section 12 of the NPPF highlights that development should promote a high standard of amenity for existing and future users. This is further emphasised in policy SD14 of the JCS and Cheltenham Plan SL1, which set out the requirement for development not to cause unacceptable harm to the amenity of adjoining land users and the locality.

6.11 The proposed balcony and stairs will have little impact on the neighbouring amenity, there are no issues with regard to overlooking and the proposal will not affect light levels to neighbouring properties. It is also noted that no letters of objection have been received in relation to the application. As such, the proposal complies with the relevant planning policies.

6.12 Access and highway issues

6.13 The new garden will reduce the on-site parking provision however four car parking spaces will be retained.

6.14 The site is sustainably located within the town centre, with good pedestrian and cycle links to a wide range of local facilities, public transport services and two public car parks within walking distance.

6.15 For these reasons, the proposal is considered to be in accordance with Joint Core Strategy policy INF1 Transport Network, and advice contained in the National Planning Policy Framework.

6.16 Public Sector Equalities Duty (PSED)

6.17 As set out in the Equalities Act 2010, all public bodies, in discharging their functions must have “due regard” to this duty. There are three main aims:

- Removing or minimising disadvantages suffered by people due to their protected characteristics;
- Taking steps to meet the needs of people with certain protected characteristics where these are different from the needs of other people; and
- Encouraging people with certain protected characteristics to participate in public life or in other activities where participation is disproportionately low.

6.18 Whilst there is no absolute requirement to fully remove any disadvantage, the duty is to have “regard to” and remove OR minimise disadvantage and in considering the merits of this planning application the planning authority has taken into consideration the requirements of the PSED.

6.19 In the context of the above PSED duties, this proposal is considered to be acceptable.

7. CONCLUSION AND RECOMMENDATION

- 7.1 Therefore, with all of the above in mind, the proposals are considered to be in accordance with relevant national and local planning policy and the recommendation is to grant planning permission subject to the following conditions:

8. CONDITIONS / INFORMATIVES

- 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.

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.