

APPLICATION NO: 20/01415/FUL & 20/01415/LBC	OFFICER: Miss Claire Donnelly
DATE REGISTERED: 12th March 2021	DATE OF EXPIRY: 7th May 2021
DATE VALIDATED: 12th March 2021	DATE OF SITE VISIT:
WARD: Warden Hill	PARISH: Leckhampton With Warden Hill
APPLICANT: Mr Martin Horwood	
AGENT: n/a	
LOCATION: Hampton House, Shurdington Road, Cheltenham	
PROPOSAL: Erection of railings to the existing veranda	

RECOMMENDATION: Permit



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1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The application relates to Hampton House; a grade II listed, detached, residential property accessed off Shurdington Road. The site is located within the Parish of Leckhampton with Warden Hill and is not in a Conservation Area.
- 1.2 The application is seeking planning permission and listed building consent for the erection of railings to an existing veranda.
- 1.3 The application is at planning committee, as the applicant is a local councillor.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Airport safeguarding over 15m
Listed Buildings Grade 2
Principal Urban Area

Relevant Planning History:

20/00105/PREAPP 4th February 2020 CLO
Refurbishment

04/01783/LBC 9th December 2004 GRANT
Carry out essential repairs to the render of the south west elevation

79/00681/PF 6th November 1979 REF
Retention of existing vehicular access

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 Joint Core Strategy Policies

SD4 Design Requirements
SD8 Historic Environment
SD14 Health and Environmental Quality

Cheltenham Plan Policies

D1 Design
SL1 Safe and Sustainable Living

Supplementary Planning Guidance/Documents

Residential Alterations and Extensions (2008)

4. CONSULTATIONS

Heritage And Conservation

18th March 2021

Significance

The building was likely to have been constructed in the early nineteenth century. First listed (Grade II) on 22 October 1987, list entry number: 1152862.

Legislation and policy

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.'

Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the local planning authority when considering whether to grant planning permission, 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.'

Paragraph 184 of the National Planning Policy Framework (MHCLG: 2019) (NPPF) states that 'Heritage assets' are an irreplaceable resource, and should be conserved in a manner appropriate to their significance'.

Paragraph 192 of the NPPF states that 'In determining applications, local planning authorities should take account of' the desirability of sustaining and enhancing the significance of heritage assets'.

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.'

Consideration

The consideration of the scheme is undertaken as a desk based assessment.

The submission contends that the veranda was constructed c.1962; comprising red brick and concrete slabs and coping.

The design of the proposed railings reads as a later addition to a structure that dates from the latter half of the twentieth century and draws from both historic and contemporary styles. Given this and its location in relation to the side (south) elevation, it will not detract from the architectural or evidential value of the building and is therefore acceptable.

Though not included in the description of the scheme, works to repair the veranda are referred to in the submission. Repairs of relatively minor extent on a like for like basis do not require consent, though the actual extent is not evident it appears that works to the veranda, including extending the line of concrete coping, the repair and re-pointing brick work and re-paving are acceptable.

Conclusion

The scheme will not be detrimental to the significance of the listed building and therefore it is acceptable.

Suggested conditions may include:

- Disturbed surfaces made good.

Building Control

31st March 2021

No comments to be made.

Parish Council

6th April 2021

The Parish council has no objection to this application

5. PUBLICITY AND REPRESENTATIONS

Number of letters sent	8
Total comments received	0
Number of objections	0
Number of supporting	0
General comment	0

- 5.1 Letters have been sent to eight neighbouring properties, a site notice has been displayed and an advert places in the Gloucestershire Echo; no responses have been received.

6. OFFICER COMMENTS

6.1 Determining Issues

- 6.2 The application proposes the erection of railings to an existing veranda to a listed building; the key considerations are therefore the design, the impact on the listed building, and any impact on neighbouring amenity.

6.3 Design and impact on the listed building

- 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, having regard to the valued elements of the historic environment. Section 16 of the NPPF seeks development to consider the impact of a proposed development on the significance of a designated heritage asset; great weight should be given to the asset's conservation.

- 6.6 The application proposes to erect railings on an existing veranda which is located off the southerly facing elevation of Hampton House. The land on site slopes away, as such, the existing veranda is a minimum of approximately 0.25m from ground level and has a maximum of height of 0.8m from ground level. The proposed railings would be placed on the southern and western sides of the veranda; the eastern elevation would remain open providing access to the garden. The proposed railings would be 1.1m in height.

- 6.7 The conservation officer has been consulted on this application given the listed status of the building; full comments can be read in section 4 of this report. It is considered that the railings would read as a later addition to the listed building and given its location would not detract from the architectural or evidential value of the building. It has therefore been concluded by the conservation officer that the proposed works would not be detrimental to the significance of the listed building.

- 6.8 The submission includes reference to minor repair works to the veranda to repair loose slabs and the addition of concrete edging slabs. These minor works are acceptable.
- 6.9 The erection of the railings and minor associated works are considered to be acceptable, achieve an acceptable standard of design and would not detract from the significance of the listed building. The proposal therefore complies with policy SD4 and SD8 of the JCS, policy D1 of the Cheltenham Plan and the relevant guidance set out within the NPPF.

6.10 **Impact on neighbouring property**

- 6.11 Policy SD14 of the JCS and policy SL1 of the Cheltenham Plan require development not to cause unacceptable harm to the amenity of adjoining land users; this echoes section 12 of the NPPF which requires development to be of a high standard of amenity for existing and future users.

- 6.12 There have been no public representations received in relation to this application. The impact on neighbouring amenity has been assessed. It is considered that given that the application property benefits from a good sized garden and the veranda is existing with no changes to the existing height, the addition of railings and the minor associated works are appropriate and would not result in harm to the existing amenity of adjoining land users. The proposal therefore complies with policy SD14 of the JCS and policy SL1 of the Cheltenham Plan, as well as the guidance set out within the NPPF.

6.13 **Other considerations**

6.14 Public Sector Equalities Duty (PSED)

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.

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.

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

7. CONCLUSION AND RECOMMENDATION

- 7.1 For the reasons set out within this report, the erection of railings to the existing veranda at the grade II listed Hampton House are considered to be acceptable in terms of their design, furthermore there would be no harm to the significance of the listed building and would protect the existing amenity of adjoining land users.
- 7.2 The recommendation is to therefore permit this application subject to the suggested conditions set out below.

8. SUGGESTED CONDITIONS / INFORMATIVES

20/01415/FUL

- 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.

20/01415/LBC

- 1 The listed building consent 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 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 The listed building consent 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 disturbed surfaces shall be made good using materials to match the existing materials, composition, form, finish and colour of the existing building.

Reason: In the interests of the special architectural and historic qualities of the listed building, having regard to adopted policy SD8 of the Joint Core Strategy (2017), Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990, and Historic Environment Good Practice Advice Note 2.

INFORMATIVES

20/01415/FUL

- 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.

