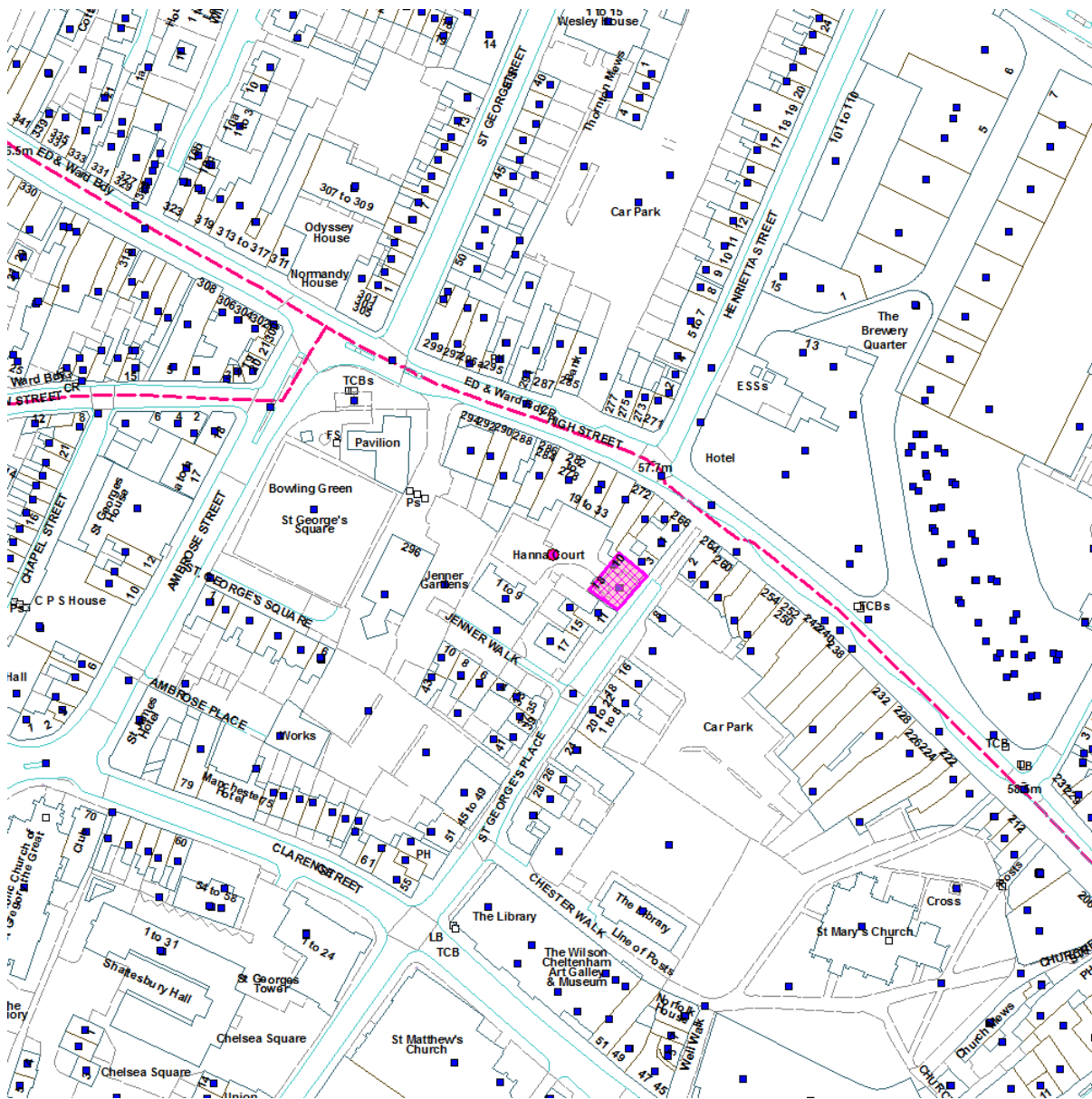


APPLICATION NO: 21/00683/FUL	OFFICER: Mr Ben Warren
DATE REGISTERED: 24th March 2021	DATE OF EXPIRY: 19th May 2021
DATE VALIDATED: 24th March 2021	DATE OF SITE VISIT: n/a
WARD: Lansdown	PARISH: n/a
APPLICANT:	Cheltenham Borough Homes
AGENT:	MHP Design Ltd
LOCATION:	Hanna Court, St Georges Place, Cheltenham
PROPOSAL:	The installation of secure pedestrian and vehicular access gates to the entrance into Hanna Court

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 relates to Hanna Court located and accessed from St Georges Place. The site is within Cheltenham's Core Commercial Area and Central Conservation Area.
- 1.2 The applicant is seeking planning permission for the installation of pedestrian and vehicular access gates at the entrance into Hanna Court.
- 1.3 The application is at planning committee as Cheltenham Borough Homes is the applicant and Cheltenham Borough Council is the land owner.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

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

Relevant Planning History:

No relevant planning history

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
SL1 Safe and sustainable living

Adopted Joint Core Strategy Policies

SD4 Design Requirements
SD8 Historic Environment
SD14 Health and Environmental Quality

4. CONSULTATIONS

GCC Highways Planning Liaison Officer - 8th April 2021

Gloucestershire County Council, the Highway Authority acting in its role as Statutory Consultee has undertaken a full assessment of this planning application. Based on the appraisal of the development proposals the Highways Development Management Manager on behalf of the County Council, under Article 18 of the Town and Country Planning (Development Management Procedure)(England) Order, 2015 has no objection.

The Highway Authority has undertaken a robust assessment of the planning application. Based on the analysis of the information submitted the Highway Authority concludes that

there would not be an unacceptable impact on Highway Safety or a severe impact on congestion. There are no justifiable grounds on which an objection could be maintained.

The Highway Authority therefore submits a response of no objection.

Building Control

13th April 2021

No comment

5. PUBLICITY AND REPRESENTATIONS

- 5.1 16 letters were sent to neighbouring land users, a site notice was displayed and an advert was published in the Gloucestershire Echo, no letters of representation have been received in response to this neighbour notification process.

6. OFFICER COMMENTS

6.1 Determining Issues

- 6.2 The main considerations of this application are Highway safety, design, impact on the conservation area and impact on neighbouring amenity.

- 6.3 A site visit has not been carried out for this application, however site photos have been provided and google maps / google street view have been used to fully consider the application.

6.4 The site and its context

- 6.5 The application site relates to Hanna Court which is a residential building comprising a number of flats, managed by Cheltenham Borough Homes. The site is located within the core commercial area, with access to the parking area for this development from St Georges Place. Surrounding uses vary and include residential, commercial and retail uses.

6.6 Highway safety

- 6.7 The proposal is to install pedestrian and vehicle access gates at the entrance to the parking area associated with Hanna Court, the proposed gates are set back into the site and away from the public footpath and highway, with inward opening gates.

- 6.8 Adopted JCS policy INF1 requires all development to provide safe and accessible connections to the transport network. Gloucester Highways as the Local Highways Authority were consulted on this application and their full comments can be read above. No objection has been raised by Gloucestershire Highways, the proposed installation of gates is not considered to result in any highway safety implications and therefore accords with adopted JCS policy INF1.

- 6.9 To ensure no future highway safety conflicts occur, a condition has been suggested which will ensure that the gates are inward opening and retained as such thereafter.

6.10 Design and impact on the conservation area

- 6.11 The site is located within Cheltenham's Central Conservation Area and therefore in accordance with Adopted JCS policy SD8, careful consideration needs to be given to the impact of the proposed works on the design and character of conservation area.
- 6.12 The buildings immediately around the entrance to Hanna Court vary in style, design and character, some are relatively modern buildings, others are traditional in style, with some being listed buildings. The surrounding uses also vary and include residential properties and commercial businesses. The addition of security gates in this location would not be out of keeping with its surroundings, there are a number of sites with access gates in the immediate vicinity. The principle of these works is therefore considered to be acceptable.
- 6.13 In terms of the design, the gates will have the appearance of railings and are proposed to be black in colour. Officers consider the scale, form and design to be acceptable in this location and is not considered to result in any unacceptable harm to the design or character of the surrounding conservation area.
- 6.14 The proposal is therefore considered to be in accordance with adopted Cheltenham Plan policy D1 and adopted JCS policies SD4 and SD8.
- 6.15 **Impact on neighbouring amenity**
- 6.16 The installation of security gates will not result in any amenity issues and is therefore compliant with adopted Cheltenham Plan policy SL1 and adopted JCS policy SD14.
- 6.17 **Other considerations**

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.

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

7. CONCLUSION AND RECOMMENDATION

- 7.1 Officer recommendation is to permit the application, subject to the conditions set out below;

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.

- 3 Notwithstanding the approved plans, the entrance gates shall at all times be hung so that they only open inwards into the site.

Reason: To ensure that the highway is not obstructed in the interests of highway safety, having regard to adopted policy INF1 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.