

<b>APPLICATION NO:</b> 21/01464/LBC	<b>OFFICER:</b> Mr Nikita Hooper
<b>DATE REGISTERED:</b> 3rd August 2021	<b>DATE OF EXPIRY:</b> 21 <sup>st</sup> October 2021
<b>DATE VALIDATED:</b> 3rd August 2021	<b>DATE OF SITE VISIT:</b> N/A
<b>WARD:</b> Warden Hill	<b>PARISH:</b> Leckhampton With Warden Hill
<b>APPLICANT:</b>	Cllr Martin Horwood
<b>AGENT:</b>	n/a
<b>LOCATION:</b>	Hampton House, Shurdington Road, Cheltenham
<b>PROPOSAL:</b>	Replace three lost windows and lost stable doors, replace lost floor, replace front door

**RECOMMENDATION:** Refuse



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## 1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The subject building (the stable) is located to the north-west of Hampton House.
- 1.2 The scheme relates to the stable only and proposes to “replace three lost windows and lost stable doors, replace lost floor, replace front door”.
- 1.3 For clarity, contrary to the labelling of some drawings planning permission is not being sought, the application is for listed building consent only.
- 1.4 The application is before committee as the applicant is Cllr Martin Horwood.

## 2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

### **Constraints:**

Airport safeguarding over 15m  
Listed Buildings Grade 2  
Parish Boundary  
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

**20/01415/LBC 23rd April 2021 GRANT**  
Erection of railings to the existing veranda

**20/01415/FUL 23rd April 2021 PER**  
Erection of railings to the existing veranda

## 3. POLICIES AND GUIDANCE

### **National Planning Policy Framework**

Section 16 Conserving and enhancing the historic environment

### **Adopted Joint Core Strategy Policies**

SD8 Historic Environment

## 4. CONSULTATIONS

### **Parish Council**

*26th August 2021*

The Parish Council has no objection to this application

## 5. PUBLICITY AND REPRESENTATIONS

Number of letters sent	13
Total comments received	0
Number of objections	0
Number of supporting	0
General comment	0

5.1 A site notice was displayed and the application listed in the Gloucestershire Echo.

## 6. OFFICER COMMENTS

- 6.1 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.”
- 6.2 Paragraph 189 of the National Planning Policy Framework (MHCLG: 2021) (NPPF) states that “Heritage assets...are an irreplaceable resource, and should be conserved in a manner appropriate to their significance”.
- 6.3 Paragraph 197 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”.
- 6.4 Vision Theme C of the Cheltenham Plan (July 2020) includes objective a), to “Conserve and enhance Cheltenham’s architectural, townscape and landscape heritage both within and out of the town’s conservation areas” (p. 7).
- 6.5 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.”
- 6.6 The consideration of the scheme is undertaken as a desk based assessment.
- 6.7 Hampton House was constructed as a farmhouse in the early nineteenth century. Listed on 22 October 1987 (Grade II). List entry number: 1152862. Previously known as Hampton Farm Villa and prior to that as Leys Farm. Croome’s 1835 survey of Leckhampton identifies ‘Leys Farm house, yard and buildings’.
- 6.8 A building occupying the same location as the existing (stable) is shown on the 1<sup>st</sup> edition Ordnance Survey (OS) map (1888). It is depicted as roofless on the 2<sup>nd</sup> edition (1903) and is whole on the 3<sup>rd</sup> edition (1923).
- 6.9 The stable is considered to be curtilage listed. “The law provides that buildings and other structures that pre-date July 1948 and are within the curtilage of a listed building are to be treated as part of the listed building” (Listed Buildings and Curtilage, Historic England Advice Note 10: February 2018, un-numbered page (i) (summary)).
- 6.10 “A building within the curtilage may have its own special architectural or historic interest or may contribute to the special interest in the principal building as part of the group” (Listed Buildings and Curtilage, Historic England Advice Note 10: February 2018).
- 6.11 The significance of the stable lies in its historic form and materials, its use as a former ancillary building and in its functional relationship with Hampton House.

- 6.12** The works proposed to the interior of the building comprise a replacement floor at first floor level (one room only) and the enlargement of a ladder/loft access from the ground floor to first floor. Work to the eastern (principal) elevation include a new door, three new windows and new stable doors. The windows are proposed to be double-glazed.
- 6.13** The interior works, the replacement door and replacement stable doors are acceptable in principle, as they will not detract from the significance of the building, and the style of the windows is acceptable in principle.
- 6.14** The principal elevation has 1no. casement window in situ, taken to be single glazed (dated to possibly c.1970s). The windows openings all appear to be historic given their respective forms: casements to the first floor and a sash to the ground floor.
- 6.15** The use of double-glazing typically requires joinery that is bulkier than that of traditional historic windows, it has a particular reflective quality (double image) and therefore the resultant window does not match the historic approach. This would be particularly noticeable in a context where single glazing (or a window designed to take single glazing) already exists.
- 6.16** The proposed windows with glazing bars wider and bulkier than the traditional historic forms, and the reflective qualities of double-glazing, will fail to maintain the simple historic design of this functional building. The installation of windows will enhance the significance of the building, particularly given its present condition; however, the proposed double glazed windows will not sustain its significance.
- 6.17** It is currently estimated that double glazed units have a lifespan of 15-25 years. They are problematic to repair and much more difficult to recycle than standard glass “discarded double-glazed windows have become a major contributor to landfill. The energy required in manufacturing and transportation can also be significant in the overall equation” (Traditional Windows, their care, repair and upgrading, Historic England: 2017, pp.53-54).
- 6.18** The application (see Design and Access – additional) states that “Double-glazing is a major contribution of the conservation of energy in buildings. The Cheltenham Plan’s Theme C objectives include a commitment (d) to “address the challenge of climate change, ensuring that development meets high design and sustainability standards and is built to be adaptable over the long term”. Reference is also made to the council declaring a climate emergency on 18 February 2019.
- 6.19** The energy efficiency of a building is a priority for their owners and for all in the face of the climate emergency; however, though the subject of this application, this issue should not solely focus on windows, and a whole-building approach should be adopted, such as draught proofing and the efficiency of heating systems. With regard to windows, secondary glazing is often an acceptable approach in listed buildings (subject to consent). It should also be borne in mind that this is an ancillary, non-residential building, and therefore it will not be necessary to maintain it at a similar interior temperature to a dwelling.
- 6.20** The stable building has no built in central heating, is non-residential, and the how the building as a whole performs in terms of energy efficiency is unknown.
- 6.21** The NPPF at paragraph 199 requires Local Planning Authorities when considering the impact of a proposed development on the significance of a designated heritage asset, to give great weight to the conservation of the asset; and the more important the asset, the greater the weight should be. This is irrespective of whether any potential harm equates to substantial harm, total loss or less than substantial harm to its significance.

- 6.22** Paragraph 202 of the NPPF states that where a proposal will lead to less than substantial harm to the significance of a designated heritage asset, that this harm should be weighed against the public benefits of the proposal.
- 6.23** Due to the unacceptable aspects of the scheme, it is considered that the proposal will be detrimental to the importance of the listed building; the degree of harm is considered to be less than substantial. When balancing the harm against the public benefits of the proposal the NPPF requires great weight to be given to the conservation of the heritage assets (paragraph 199).
- 6.24** The NPPF as above refers to the “desirability of sustaining and enhancing the significance of heritage assets”, the JCS, also as above, states that ““Designated...heritage assets...will be conserved and enhanced as appropriate to their significance” and the Cheltenham Plan, as above, aims to “Conserve and enhance Cheltenham’s architectural...landscape heritage”. The re-introduction of suitably designed windows will enhance the significance; however, the proposed use of double-glazing will fail to conserve/sustain the significance. Both the NPPF, the JCS and the Cheltenham Plan are clear that enhancement and conservation/sustaining are both aims and not one at the exclusion of the other.

## **7. Public Sector Equalities Duty (PSED)**

- 7.1** 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.
- 7.2** 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 application the planning authority has taken into consideration the requirements of the PSED.
- 7.3** In the context of the above PSED duties, this proposal is considered to be acceptable.

## **8. CONCLUSION(S) AND RECOMMENDATION(S)**

- 8.1** Many aspects of the scheme are acceptable in principle; however, the use of double-glazing would detract from the significance of the listed building. If the decision makers conclude that the scheme will lead to less than substantial harm to the significance of the listed building then they will need to carry out the prescribed balancing exercise as per the NPPF (see above).

## **9. REFUSAL REASON**

- 1 The application would lead to less than substantial harm to the significance of the listed building by detracting from its architectural/aesthetic value through the use of inappropriate double-glazed windows. This harm is not outweighed by any substantiated public benefit.

The scheme is contrary to Section 16 (2) of the Planning (Listed Buildings and Conservation Areas) Act 1990, the National Planning Policy Framework (2021) and Policy SD8 (Historic Environment) of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy 2011-2013 (adopted December 2017).