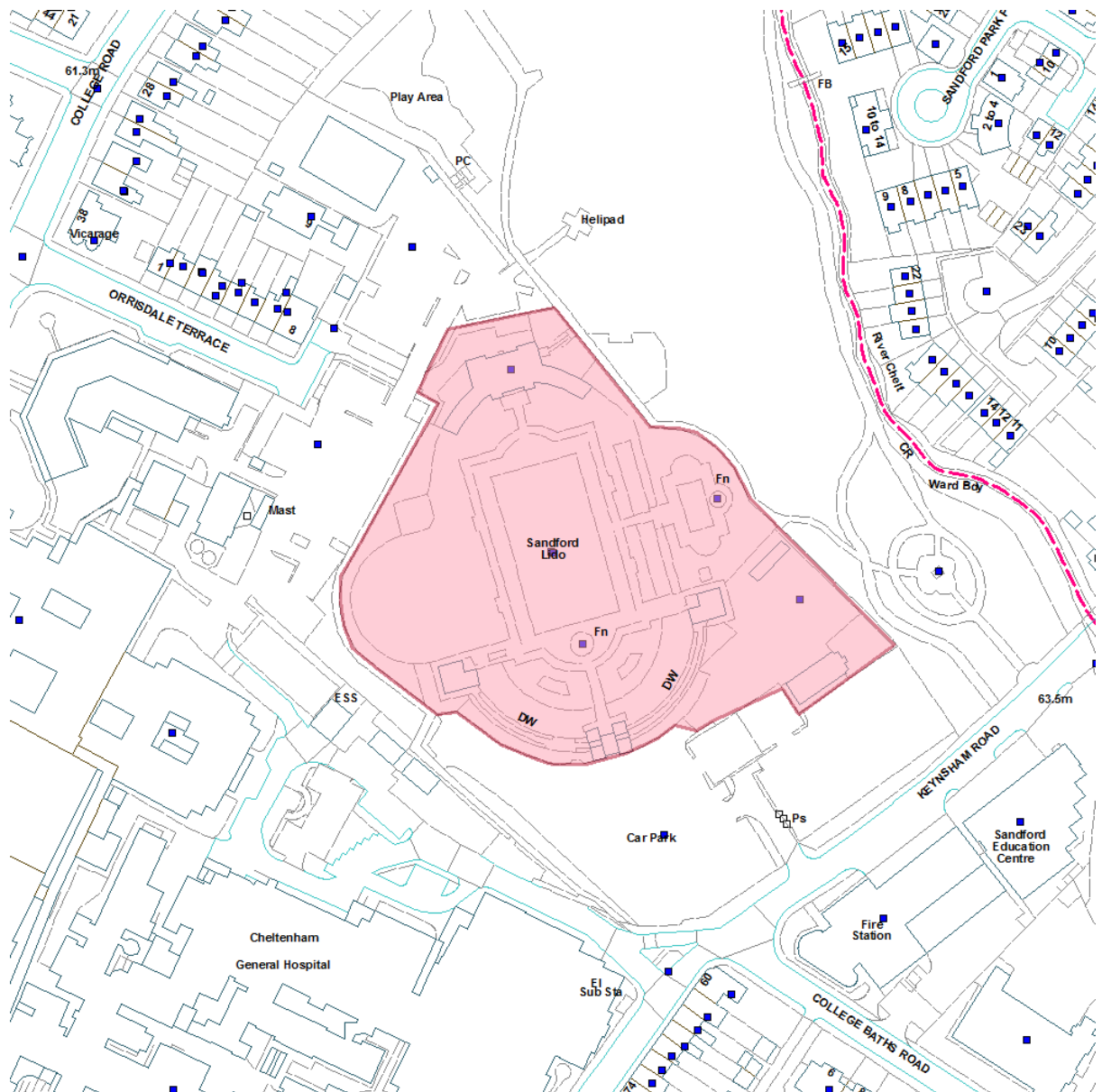


Committee Report

APPLICATION NO: 23/00479/FUL & 23/00479/LBC		OFFICER: Ms Nicole Gillett
DATE REGISTERED: 23rd March 2023		DATE OF EXPIRY: 18th May 2023
DATE VALIDATED: 23rd March 2023		DATE OF SITE VISIT: 25th April 2023
WARD: College		PARISH:
APPLICANT:	Sandford Park Lido Limited	
AGENT:	SF Planning Limited	
LOCATION:	Sandford Lido Keynsham Road Cheltenham	
PROPOSAL:	Installation of Solar PV Panels	

RECOMMENDATION: Permit and Grant



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1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The proposed works are for the installation of photovoltaic panels to the south facing roof of the plant room forming part of Sandford Lido, Keynsham Road.
- 1.2 Sandford Lido is a Grade II listed building, described in its list description as being constructed in 1934-1938. Sandford Park Lido is notable as being complete, with all key buildings which include the main entrance, ticket offices, changing areas, pavilions, pool, fountain, children's pool, filter house, café pavilion, terraces and plant room.
- 1.3 The site is located within the Central Conservation Area but other than the listed buildings (62-90 Keynsham Road, Keynsham Park) there is little interest as most of the other buildings within this context are modern.
- 1.4 The proposal is on Council owned land as such it is before Planning Committee.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Airport Safeguarding over 45m
Conservation Area
Flood Zone 2
Listed Buildings Grade II
Principal Urban Area
Smoke Control Order

Relevant Planning History:

18/00926/PREAPP 3rd July 2018 CLO

Alterations and extension to existing changing facilities

19/01983/PREAPP 23rd October 2019 CLO

Various works - change doors to offices, re tile childrens pool and changes to boilers

01/00489/ADV 29th May 2001 GRANT

Repositioning of existing sign

85/01028/PF 24th October 1985 PER

Sandford Lido Overflow Car Park Cheltenham Gloucestershire - Alterations To Form Picnic Area/Play Area

And Use Of Part Area For Roller Skating

87/01250/AN 17th December 1987 REF

Cheltenham Swimming Pool Cheltenham Gloucestershire - Display Of Non Illuminated Advertisement

87/01490/PF 25th February 1988 REF

Sandford Park/College Road Cheltenham Gloucestershire - Relocation Of Existing 2.4m High Security Fence And Re-Alignment Of Existing Footpath

89/01328/PF 23rd November 1989 WDN

Re-Location Of 2.4m High Security Fence And Re-Alignment Of Footpath

96/00749/CD 17th October 1996 WDN

Removal Of Iron Railings On Section Of North East Boundary

98/01109/PF 10th December 1998 PER

Erection Of A Health And Fitness Studio With Associated Car Parking.

99/00187/AN 22nd April 1999 PER

Display Of 3 No. Non-Illuminated Advertisement Signs

09/00116/CONF 31st March 2009 CONFIR

Confirmation of Tree Preservation Order 662: 1 x Cedar and 1 x Lime

09/00408/CACN 20th April 2009 NOOBJ

All priority 1 and 2 works as per Tree Report dated February 2009 - please view application online for full details

10/01984/CACN 11th January 2011 NOOBJ

1) Silver Birch T8 - remove. 2) Sycamore T11 - fell. 3) Willow T36 - pollard

11/01860/CACN 23rd December 2011 NOOBJ

Various tree works as per work specification and plan received and dated 20th December 2011

13/00339/CACN 3rd April 2013 NOOBJ

Various tree works-according to plan and schedule submitted

13/00340/TPO 7th March 2013 NOTREQ

Lime Tree T31 - removal of major deadwood

13/01359/CACN 5th August 2013 NOOBJ

Five Day Notice for felling: 3 Yew trees within carpark of adjacent gym - fell

15/00706/CACN 23rd April 2015 NOOBJ

Permission works on trees 15,16,29,50,51,52

18/00607/CACN 27th March 2018 NOOBJ

Tree surgery and felling within Sandford Parks Lido as per TreeKing Consulting report of March 2018

18/02054/FUL 28th November 2018 PER

Installation of a mobile sauna (retrospective)

19/00865/CACN 7th May 2019 NOOBJ

Various tree works- as per survey submitted with application

19/00911/TPO 7th May 2019 PER

T28-cedar-formative pruning as specified in tba report attached

19/02122/LBC 9th December 2019 GRANT

Replace PVC liner to small children's swimming pool with tiles.

19/02430/LBC 21st February 2020 GRANT

Minor internal alterations to the cafe foyer and servery entrance within the existing building.

19/02438/FUL 27th February 2020 PER

Siting of a Portakabin to be used as an office, including welfare facilities.

19/02438/LBC 27th February 2020 GRANT

Siting of a Portakabin to be used as an office, including welfare facilities.

20/02252/CACN 18th December 2020 NOOBJ

Works outlined in Tree Survey attached-all priority 2+3 works recommended

21/02667/CACN 7th December 2021 NOTREQ

Various Tree Works Detailed In Arboricultural Report

22/02047/CACN 2nd December 2022 NOOBJ

"T5" - Lime - remove deadwood >3cm from above path "T9" - Copper Beech - remove branch with brace (+brace)

23/00382/LBC PCO

The reinstatement of a short section of an existing wall in the cafe building in line with the original design

23/00479/LBC PCO

Installation of Solar PV Panels

3. POLICIES AND GUIDANCE

National Planning Policy Framework 2021 (NPPF)

Section 2 Achieving sustainable development

Section 4 Decision-making

Section 8 Promoting healthy and safe communities

Section 12 Achieving well-designed places

Section 14 Meeting the challenge of climate change, flooding and coastal change

Section 16 Conserving and enhancing the historic environment

Adopted Cheltenham Plan 2020 (CP) Policies

D1 Design

SL1 Safe and Sustainable Living

Adopted Joint Core Strategy 2017 (JCS) Policies

SD3 Sustainable Design and Construction

SD4 Design Requirements

SD8 Historic Environment

Supplementary Planning Guidance/Documents

Cheltenham Climate Change SPD (2022)

4. CONSULTATIONS

Building Control

24th March 2023 - This application will require Building Regulations approval. Please contact Cheltenham and Tewkesbury Building Control on 01242 264321 for further information.

Gloucestershire Centre For Environmental Records

24th March 2023 – highlighted protected species some distance from the application site. None identified at the site.

Cheltenham Civic Society

28th April 2023 - We support the lido's plans to reduce their carbon footprint and energy bills, but we think there could be more effective and less visually intrusive solutions. A ground source heat pump could be more efficient for heating the pool and would be completely buried underground. We appreciate this would be more expensive to install. Photovoltaic tiles would be less visually intrusive, but again would be more expensive.

Conservation Officer

26th April 2023

Proposal

The proposed works are for the installation of photovoltaic panels to the south facing roof of the plant room forming part of Sandford Lido, Keynsham Road.

Pre-application advice

It should be noted an informal site visit took place on 25th May 2022 where options for sustainability measures were discussed in broad terms. Solar panels on the roof of the plant room were raised and potential heritage issues over harm as a result of imposing such a proposal were informally highlighted. A holistic approach to a sustainability strategy for the site was encouraged at this early stage. Engagement with the pre-application service was also encouraged but not taken up.

An on-site meeting also took place on 17th February 2023. At this meeting solar panels on the roof of the Plant Room were again proposed amongst a wider discussion over the site, its issues and potential sustainability measures. Advice was offered that a proposal would need to address Historic England's guidance on retrofit and energy efficiency and result from their 'whole building' approach and this be used to enable proper justification of the development proposal. Advice was also offered at this meeting that if, the 'whole building' approach identified solar panels as an option, the resultant harm would need to be identified and the weighing exercise against public benefit would need to be undertaken, as required by paragraph 202 of the National Planning Policy Framework. The conclusions of the 'whole building' approach should also be used as part of the justification for the proposal. A further offer of pre-application advice was made at this meeting but this was not taken up and an application was subsequently submitted without the benefit of this.

For reference, the 'whole building' approach is an holistic approach using an understanding of a building or site, its context, its significance, and all the factors affecting energy use as the starting point for devising an energy efficiency strategy that sustains the significance in heritage assets while avoiding harm. The advice is contained in a number of documents including but not limited to Historic England Advice Note 14: Energy Efficiency and Traditional Homes (July 2020) and Energy Efficiency and Historic Buildings: How to Improve Energy Efficiency (June 2018).

Heritage Assets Affected

Sandford Lido is a Grade II listed building, described in its list description as being constructed in 1934-1938 to the designs of G. Gould Marsland for Cheltenham Borough Council in consultation with Edward White. Sandford Park Lido is notable as being complete, with all key buildings which include the main entrance, ticket offices, changing areas, pavilions, pool, fountain, children's pool, filter house, café pavilion, terraces and plant room. Notably the plant room is recognised in the listed description, making it part of the listing rather than an ancillary, curtilage listed building, giving it greater significance.

Adjacent to the site is 62-90 Keynsham Road, a Grade II listed Regency terrace and a grade II listed aedicule in Keynsham Park, dated c.1880-90, though these are somewhat obliquely located from the proposal.

The site is located within the Central Conservation Area but other than the listed buildings mentioned above there is little interest as most of the other buildings within this context are modern. These include numerous hospital buildings, fire station and an office building. Of note are the street trees located along Keynsham Road and Keynsham Park to the north of the site which contribute of the verdant quality of the area.

Heritage Legislation & Policy Context

The site is sensitive in heritage terms and consideration needs to be given to the relevant legislative and policy context in which decision-making is required to take place.

The cornerstone of heritage legislation is the Planning (Listed buildings and Conservation Area) Act 1990 of which para 72(1) states, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area and para 16(2), which requires local planning authorities to have special regard to the desirability of preserving the special architectural or historic interest of listed buildings and their setting.

A core principle of the National Planning Policy Framework 2021 (NPPF) is heritage assets be conserved in a manner appropriate to their significance. Chapter 16, paragraphs 199-208 set out how potential impacts on heritage assets shall be considered. This assessment takes account of the relevant considerations in these paragraphs, including paragraph 197 of the NPPF, which requires the significance of heritage assets to be sustained and enhanced, with paragraph 199 requiring great weight be given to the asset's conservation.

Also relevant in this instance is paragraph 200 of the NPPF, which states any harm to, or loss of, the significance of a designated heritage asset should require clear and convincing justification and paragraph 202 of the NPPF, which requires less than substantial harm to the significance of a designated heritage asset be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

The application needs to be determined in the context of the Borough Council declared climate emergency and its commitment to becoming a carbon neutral council by 2030. The Climate Change and Sustainability Supplementary Planning Document (2022) will need to be considered.

The Climate Change and Sustainability SPD encourages an early engagement with the significance of the historic building to allow a retrofit project to be planned responsibly and sensitively. It advises the use PAS (Publicly Available Specification) 2035 as a retrofit standard, working with an accredited Retrofit Co-ordinator to help to develop a bespoke plan using a 'fabric-first' and 'whole-house' approach. It goes on to advise energy efficiency measures should be selected to conserve and protect the existing fabric and building features and low-carbon heating and renewable energy generation should be sited to minimise their visual impact on the surrounding setting. It also states the siting of Solar PV should be well considered to minimise visual impact.

Impact of Proposal

The photovoltaic panels are proposed on the south facing roof of the plant room. The plant room, particularly its southern elevation, forms a notably visible feature in and of itself and within the context of the main entrance and the ticket office, as it sits forward of these buildings and is an isolated, detached building located within open car parking areas. This would result in the proposed photovoltaic panels on the south facing roof slope appearing as a prominent feature on the plant room and within the context of the main entrance and ticket office.

The proposal is considered to be visible from various vantage points. Views would include from the north and north-east of Keynsham Road, from the entrance access road to the car park off Keynsham Road, from within the two car parks adjacent to the main entrance, ticket office, the curved boundary walls, changing areas and pavilions and from the entrance to Cheltenham General Hospital adjacent to the Oncology Centre.

There would be views west from the area around the entrance to Keynsham Park. Views of the photovoltaic panels would be possible from some of the Grade II listed buildings located at 62-90 Keynsham Road and from the Grade II listed aedicule in Keynsham Park but these are not considered oblique and would not meaningfully affect their setting.

It is noted the Heritage Impact Assessment states the plant room does not form part of the formal design and layout of the lido and it is finished using less ostentatious materials and detailing to the formally laid out buildings. The Heritage Impact Assessment emphasises its significance lies with its machinery. It is also argued in Heritage Impact Assessment the plant room is more discreetly located and historically was partially obscured by now demolished pumping station buildings dating from the 1840s.

Addressing this, the list description is clear, it states under the title architectural interest, "the lido survives with its key functional ancillary buildings and structures including, highly unusually, its plant room with working boilers and compressors from the original installation..." meaning, while the plant room is functional it still holds architectural interest. The plant room not forming part of the formal layout of Sandford Lido is not considered a prerequisite for it to have significance, this belief is conflating the functional nature of the building with it having less significance, when the hierarchy between the formal part of the listed building and its functional part is itself of significance.

It is acknowledged the plant room historically formed part of a larger group of buildings but notably, as existing, the other buildings have been demolished, resulting in the plant room appearing as a more prominent detached building, set within the open car parking areas and adjacent to the main entrance and ticket office.

Due to their prominent location, the photovoltaic panels are considered to have an incongruous appearance on the roof. The photovoltaic panels would appear as an intrusive feature where there should be plain clay tiles, matching the appearance of the tiles used on the other listed buildings on the Lido site.

The proposed photovoltaic panels are contrary to the Climate Change and Sustainability SPD as they have not been selected to conserve and protect the existing fabric and building features and have not been sited to minimise their visual impact on the surrounding setting.

The proposal is not considered to sustain and enhance the significance of the listed building as required by paragraph 197 of the NPPF and does not give great weight to be given to the asset's conservation as required by paragraph 199 requiring. The proposed works are therefore considered to harm the significance of the listed building, which is considered to be less than substantial harm as defined by the paragraph 202 of the NPPF. It should be noted less than substantial harm is still unacceptable harm. The submitted supporting information within the application also recognises there would be harm to the plant room as a result of the proposal.

Historic England's 'Whole Building' Approach

While it is acknowledged there are public benefits to the photovoltaic panels, it is the Conservation Officers opinion the application does not offer a clear and convincing justification for the harm, as required by paragraph 200 of the NPPF. It is clear from the submitted information some work has been undertaken to have a sustainability strategy for the lido but this appears to be incomplete, is not submitted within the application in a coherent way and it is unclear how this takes the significance of the listed building into account. The proposed works to the roof of the plant room to install photovoltaic panels are therefore considered premature.

The Sandford Parks Lido supporting document identifies a series of stages, which have been and are proposed to be undertaken to address sustainability issues in relation to the lido. These include; Stage one, which relates to site efficiencies through the introduction of new technologies to reduce the electrical demand. Stage two, which relates to energy generation via solar PV in various location including the plant room, identified as it has the greatest demand for electricity with a significant cost not only in regards to energy and annual maintenance fees. Stage 3 - Development scheme for the lido to include sustainability at its core, a full site design concept for the future protection of the lido. It is stated Stage 3 is currently being worked. Further to this, page 22 of the Heritage Impact Assessment acknowledges there are a number of options yet to be considered, including but not limited to ground heat source, air heat source and car park covers, which are all described as being under investigation. It should be noted it is considered the information relating to these measures is discussed in generalisations and does not give a proper understanding of the sustainability strategy, which needs to include the 'whole building' approach required by Historic England.

Frequent reference is made within the Sandford Parks Lido supporting document to concerns within and the findings of a sustainability survey including but not limited to, "the findings of our recent sustainability survey the lido becomes financially unsustainable in its current form." In addition, "The resolutions proposed in our sustainability survey will need to be conducted in carefully considered stages to ensure the development opportunities for the lido and sustainability requirements are both completed in synergy." However, the sustainability survey has not been submitted as part of the supporting information within the application despite it being used to help justify the proposed works and it is unclear how this might relate to the 'whole building' approach required by Historic England. The Planning Statement also refers to a strategy, "The proposal is an important part of the overall strategy to ensure that the operational costs of the lido, and specifically its energy costs, are retained at an economically viable level." Again, this does not give a sufficient sense of what this overall strategy is and how this might relate to Historic England's requirement to address interventions holistically through a 'whole building' approach.

Disappointingly, the application as submitted does not engage with Historic England's guidance, which promotes a 'whole building' approach. This approach might have identified options that are less harmful to the heritage assets significance and avoid imposing ad-hoc development proposals that might lead to harm to that asset. Details of the 'whole building' approach are available in Historic England Advice Note 14: Energy Efficiency and Traditional Homes (July 2020) and Energy Efficiency and Historic Buildings: How to Improve Energy Efficiency (June 2018). Echoing this, the application also does not properly engage with the Climate Change and Sustainability SPD, which includes advice to work with an accredited Retrofit Co-ordinator to help to develop a bespoke plan using a 'fabric-first' and 'whole-house' approach as this has not been demonstrated as being followed within the application. As a result of not properly engaging with this the proposal is considered to lack clear and convincing justification as required by paragraph 200 of the NPPF.

Conclusion- It is the Conservation Officers opinion, the proposed works do not comply with Section 16 of the Planning (Listed Building and Conservation Area) Act 1990, Chapter 16 of the National Planning Policy Framework 2021, Policy SD8 of the Joint Core Strategy 2017 and Climate Change and Sustainability Supplementary Planning Guidance 2022.

Councillor Comments

Councillor Max Wilkinson 24th March 2023 - In the event that you are minded to recommend the applications for Solar PV at the Lido for refusal, I would like to formally request that the matter is referred to the Planning Committee. I refer it on environmental (climate change) and heritage (protecting the financial sustainability of heritage assets) grounds. If this does end up at committee, I intend to exercise my right to speak.

5. PUBLICITY AND REPRESENTATIONS

Number of letters sent	47
Total comments received at time of writing	35(23/00479/FUL) 46 (23/00479/LBC) 81 total with some duplication
Number of objections	0
Number of supporting	35
General comment	0

5.1 Extensive public support has been received on the below themes;

- Economic benefits and future proofing.
- Climate change and cutting carbon emissions.
- Supports the Lido, which in turn supports people's wellbeing and health.
- Lido is great community asset.
- Visual and heritage impacts are acceptable.
- Logical proposal

No public objections have been received.

6. OFFICER COMMENTS

Determining Issues

6.1 The main considerations when determining these applications relate to the; design and heritage impact and climate change.

Design and Heritage

- 6.2** Adopted CP policy D1 requires alterations to existing buildings to avoid causing harm to the architectural integrity of the building, and the unacceptable erosion of open space around the building; and for all development to complement and respect neighbouring development and the character of the locality. The policy is generally consistent with adopted JCS policy SD4 and advice set out within Section 12 of the NPPF.
- 6.3** With particular regard to development within the historic environment, sections 16(2) 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires special regard to be paid to preserving or enhancing the character or appearance of a conservation area, and preserving any listed building or its setting, or any features of special architectural or historic interest which it possesses. JCS policy SD8 also requires both designated and undesignated heritage assets and their settings to be conserved and enhanced as appropriate to their significance, and is consistent with paragraph 192 of the NPPF that advises that in determining planning applications, local planning authorities should take into account:
- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
 - the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
 - the desirability of new development making a positive contribution to local character and distinctiveness.
- 6.4** The Conservation Officer has commented on the proposals; their detailed comments can be read in the full in the consultations section of this report.
- 6.5** When considering the impact of a development on the significance of a designated heritage asset, paragraph 193 of the NPPF requires great weight to be given to the asset's conservation irrespective of the level of harm to its significance.
- 6.6** The photovoltaic panels are proposed on the south facing roof of the plant room. The plant room, particularly its southern elevation, forms a visible feature in and of itself and within the context of the main entrance and the ticket office, as it sits forward of these buildings and is an isolated, detached building located within open car parking areas. This would result in the proposed photovoltaic panels on the south facing roof slope being visible from multiple vantage points. However, it is noted clutter from signs and paraphernalia associated with the car park does change some of these viewpoints.
- 6.7** It is noted the Heritage Impact Assessment states the plant room does not form part of the formal design and layout of the lido. The Heritage Impact Assessment emphasises its significance lies with its machinery. It is also argued in the Heritage Impact Assessment the plant room is more discreetly located and historically was partially obscured by now demolished pumping station buildings dating from the 1840s. It should be noted the plant room is functional, but still holds architectural interest and the hierarchy between the formal part of the listed building and its functional plant room is itself of significance.
- 6.8** It is acknowledged the plant room historically formed part of a larger group of buildings but notably, as existing, the other buildings have been demolished, resulting in the plant room appearing as a more prominent detached building, set within the open car parking areas and adjacent to the main entrance and ticket office.
- 6.9** The Conservation Officer concluded the photovoltaic panels are considered to have an incongruous appearance on the roof and the photovoltaic panels would appear as an intrusive feature, consequently the scheme will harm the significance of the listed building, and the Conservation Officer considered the level of harm to the designated heritage asset, the grade II listed lido, to be 'less than substantial'.

- 6.10** Further, the Conservation Officer raised concerns that the Historic England's 'Whole Building' approach has not been used. The Sandford Parks Lido supporting document identifies a series of stages, which have been and are proposed to be undertaken to address sustainability issues in relation to the lido. Future works at the Lido as part of the strategy should use the 'whole building' approach required by Historic England. However, as this is the first application and work still needs to be undertaken on the whole site, the proposal has been examined on its own merits. It is also understood funding reasons resulted in restricted timescales for submission of this application.
- 6.11** Paragraph 200 of the NPPF, which states any harm to, or loss of, the significance of a designated heritage asset should require clear and convincing justification. The planning agent provided additional information showing why the plant room was the chosen location for the photovoltaic panels. Ground mounted solar was discounted as; safe locations did not produce enough solar gain, if located in the car park the income generated from the lost parking spaces would be lost, land within the car park is less secure and the possible damage would cause significant maintenance costs. In addition different locations were also explored. The extensive lawns and open spaces at the lido are important to its character therefore, introducing energy installations in these spaces was not considered appropriate. The case officer is satisfied with the justification of the solar panel's location. It is clear the applicant explored other options and the proposal was the most sensible solution.
- 6.12** Notwithstanding the above, where less than substantial harm to a designated heritage asset has been identified, NPPF paragraph 202 requires the harm to "be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use" and great weight is to be given to the asset's conservation irrespective of the level of harm to its significance (para 193 of the NPPF).
- 6.13** PPG (Paragraph: 020 Reference ID: 18a-020-20190723) sets out that public benefits can be "anything that delivers economic, social or environmental objectives" and "should flow from the proposed development" and "be of a nature or scale to be of benefit to the public at large and not just be a private benefit"; an example of a heritage benefit might be securing the optimum viable use of an asset in support of its long term conservation.
- 6.14** At the Case Officers request the agent provided additional information with regards to these public benefits. In this case the case officer notes the public benefits are;
- Reduced reliance on fossil fuels and increase generation of renewable energy at a local scale.
 - Reduction in significant energy costs which will reduce the financial burden of the Lido. The Lido's current electricity contract expires in September 2023 increasing energy spend from £51,000 to £178,500. This in turn will assist with the effective operation of the Lido, which has a role in supporting the health, exercise and well-being of the town's residents (200,000 visits per year) and a reduction in operational costs to enable the offer to be maintained.
 - Ensuring the operation of the Lido means that it can continue to reinvest in the preservation of the Lido buildings and pool.
 - The Lido can continue to deliver the wide range of services and activities it provides to the public, which are a range of courses and lessons, sporting challenges, hosting local sports teams and the popular dog swim. Regular dryside activities are held such as theatre, cinema, community social events and charitable fundraising events for a range of charities and good causes.

6.15 In this case, whilst it is acknowledged there are concerns raised by the Conservation Officer, on balance, officers are satisfied that the extensive public benefits resulting from the proposed works outweigh the less than substantial harm that remains.

Climate Change

6.16 Whilst the lido is operated by a charity, the building and grounds are owned by Cheltenham Borough Council. The Council declared a climate emergency and committed to becoming a carbon neutral council by 2030, as identified in the council's Carbon Neutral Cheltenham report. The report also recognises that whilst Cheltenham's architectural heritage is one of its defining characteristics, its many buildings will be a key enabler to ensure the Borough achieves carbon neutrality by 2030.

6.17 The Climate Change and Sustainability SPD encourages an early engagement with the significance of the historic building to allow a retrofit project to be planned responsibly and sensitively. It is disappointing the pre application service was not utilised for the proposal. The SPD goes on to advise energy efficiency measures should be selected to conserve and protect the existing fabric and building features and low-carbon heating and renewable energy generation should be sited to minimise their visual impact on the surrounding setting. It also states the siting of Solar PV should be well considered to minimise visual impact. The photovoltaic panels are on a roof that is largely experienced from the car park and represents a functional building. In design terms it is the case officer's opinion that the siting of the photovoltaic panels on the plant room is a sensible location for these climate change features and the proposal meets the aspirations of the SPD in addressing climate change at the Lido.

Other Considerations

Public Sector Equalities Duty (PSED)

6.18 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.

6.19 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.

6.20 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 above, whilst the Conservation Officer comments are noted, on balance, the proposed development is considered to be acceptable and in accordance with the relevant planning policies and guidance.

7.2 The recommendation is to therefore permit planning permission and grant listed building consent subject to the conditions set out below.

8. CONDITIONS

23/00479/FUL Conditions;

- 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.

23/00479/LBC Conditions;

- 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 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 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.

23/00479/FUL Informative;

- 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.