

Planning Committee Officer Report

This application is required to be considered by Planning Committee because The Wilson Cheltenham Art Gallery And Museum Clarence Street is a Council owned building and therefore falls outside the agreed scheme of delegation.

IMPORTANT NOTE – THE CONSULTATION PERIOD FOR THIS APPLCATION HAS NOT EXPIRED. THE OVERALL DATE OF EXPIRY IS 24TH AUGUST 2023. THE APPLCATION WILL NOT BE DETERMINED BEFORE THIS DATE (please see section 5. publicity and representations for further information).

APPLICATION NO: 23/01123/LBC	OFFICER: Mr Chris Morris
DATE REGISTERED: 4th July 2023	DATE OF EXPIRY: 29th August 2023
DATE VALIDATED: 4th July 2023	DATE OF SITE VISIT:
WARD: Lansdown	PARISH:
APPLICANT:	The Cheltenham Trust
AGENT:	Evans Jones Ltd
LOCATION:	The Wilson Cheltenham Art Gallery And Museum Clarence Street Cheltenham
PROPOSAL:	Internal works to the Wilson Art Gallery and Museum

RECOMMENDATION: Grant



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1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The development site contains Wilson Cheltenham Art Gallery and Museum is a grade II listed building it was built and continues to function as a library, museum and art gallery. Begun 1888-89 by architects W.H. Knight and Chatters in mixed Renaissance styles. The development site is also located within the Central Conservation Area.
- 1.2 The proposed works are for internal works within the Victorian Wing to improve display spaces, public access and expand storage facilities. The proposed works include new stud walls, replacement of modern doors, internal concealment of window openings and the erection of a mezzanine level within Store 1.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Airport Safeguarding over 45m
Business Improvement District
Conservation Area
Core Commercial Area
Listed Buildings Grade 2
Principal Urban Area
Residents Associations
Residents Associations
Smoke Control Order

Relevant Planning History:

01/00863/LBC 12th September 2001 GRANT

Second floor toilet refurbishment

02/00742/LBC 11th September 2002 GRANT

Internal alterations consisting of various upgraded fire precaution works to the basement, common staircase, lending library and offices and installation of mobile racking to basement

02/00919/FUL 18th December 2002 REF

New extension on basement, ground, first and second floors and remodelling of existing (1989) building on ground, first, second and third floors and alterations to listed (1889) building and plant at roof level

02/00920/LBC 18th December 2002 REF

Demolition of 51 Clarence Street and alterations to existing (1887) library/museum including: alterations to roof top plant areas, refurbishment and remodelling of second floor galleries, removal of stair and new internal opening

02/00921/CAC 18th December 2002 REF

Demolition of all unlisted structures, walls and substructures within the site bounded by 53 and 55 Clarence Street and 3-5 Chester Walk

85/01056/LS 21st November 1985 PER

Art Gallery Cheltenham Gloucestershire - Erection Of Display Cases

85/01079/PF 21st November 1985 PER

Cheltenham Art Gallery and Museum Gloucestershire - Erection Of Three Enclosed Notice Boards On The Facade Of The Art Gallery

86/01207/PF 18th December 1986 PER

Museum And Art Gallery Cheltenham Gloucestershire - Extension To The Museum And Art Gallery - Phase 1

86/01208/PF 18th December 1986 PER

Museum And Art Gallery Cheltenham Gloucestershire - Extension To The Museum And Art Gallery - Phase 2

86/01214/LA 18th December 1986 PER

The Art Gallery And Museum Clarence Street Cheltenham Gloucestershire - Demolition Of Part Of The Building And Extension To Building, Erection Of 4-Storey Extension To The Museum Providing New Entry, Galleries And Offices (Phase 1)

86/01215/LA 18th December 1986 PER

The Art Gallery And Museum Clarence Street Cheltenham Gloucestershire - Demolition Of Part Of Building And Extension To Building And Erection Of A 4-Storey Building To The Museum To Provide New Entry Galleries And Offices (Phase 2)

89/00909/AI 24th August 1989 PER

Erection Of Illuminated Neon Signs

89/00957/AN 24th August 1989 PER

Display Of Non Illuminated Advertisements

89/00960/LA 24th August 1989 PER

Erection Of Signs To Front And Rear Of New Extension

90/00047/LA 22nd February 1990 PER

Alterations To Form New Shop And Installation Of An Additional Handrail To The Main Staircase

90/00400/LA 24th May 1990 PER

Demolition Of Wall To Provide A Service Counter To Coffee Shop

96/00125/AN 21st March 1996 PER

Display Of Two Fabric Banners Suspended Between Two Metal Brackets At Top And Bottom On The Clarence Street Facade (Revised Scheme)

96/00126/LA 21st March 1996 PER

Erection Of Banners On The Clarence Street Facade (Revised Scheme)

97/00448/AN 31st July 1997 PER

Application To Display Banners For 365 Days Per Year

07/01386/LBC 17th December 2007 GRANT

Installation of bird guarding systems to elevations (external)

08/00551/LBC 25th July 2008 GRANT

Internal alterations to kitchen and servery on first floor

09/00215/FUL 8th April 2009 WDN

Erection of new 4 storey public Art Gallery building with associated archiving and artefact storage linking to existing 1989 Museum and Gallery building, together with works to number 51 Clarence Street including the formation of a new shop front and replacement of the existing ground to first staircase, following demolition of properties at numbers 53 and 55 Clarence Street and two derelict cottages on Chester Walk.

09/00216/LBC 8th April 2009 WDN

Erection of new 4 storey public Art Gallery building with associated archiving and artefact storage linking to existing 1989 Museum and Gallery building, together with works to number 51 Clarence Street including the formation of a new shop front and replacement of the existing ground to first staircase, and demolition of properties at numbers 53 and 55 Clarence Street and two derelict cottages on Chester Walk.

09/00217/CAC 8th April 2009 WDN

Demolition of properties at numbers 53 and 55 Clarence Street and two derelict cottages on Chester Walk. Demolition of garden wall structure bounding Chester Walk and extensions to the rear of number 51 Clarence Street in connection with proposed erection of new 4 storey public Art Gallery building with associated archiving and artefact storage linking to existing 1989 Museum and Gallery building

09/00785/FUL 23rd July 2009 PER

Erection of new 4 storey public Art Gallery building with associated archiving and artefact storage linking to existing 1989 Museum and Gallery building, together with works to number 51 Clarence Street including the formation of a new shop front and replacement of the existing ground to first staircase, following demolition of properties at numbers 53 and 55 Clarence Street and two derelict cottages on Chester Walk.

09/00786/LBC 25th August 2009 GRANT

Erection of new 4 storey public Art Gallery building with associated archiving and artefact storage linking to existing 1989 Museum and Gallery building, together with works to number 51 Clarence Street including the formation of a new shop front and replacement of the existing ground to first staircase, and demolition of properties at numbers 53 and 55 Clarence Street and two derelict cottages on Chester Walk.

09/00787/CAC 25th August 2009 GRANT

Demolition of properties at numbers 53 and 55 Clarence Street and two derelict cottages on Chester Walk. Demolition of garden wall structure bounding Chester Walk and extensions to the rear of number 51 Clarence Street in connection with proposed erection of new 4 storey public Art Gallery building with associated archiving and artefact storage linking to existing 1989 Museum and Gallery building

83/00788/LA 24th March 1983 GRANT

Internal alterations to provide disabled persons ramp/lift and alteration to entrance

18/00039/ADV 20th April 2018 GRANT

Installation of two banner signs and one hanging sign

21/01596/LBC 5th October 2021 GRANT

Replace the worn ad parapet gutters, replace zinc sections of zinc courtyard roof

21/02596/FUL 25th March 2022 PER

Change of use of part of the ground floor for use as an extension to the existing café and associated alterations

21/02596/LBC 25th March 2022 GRANT

Change of use of part of the ground floor as an extension to the existing café and minor internal alterations to the ground, first and third floors

09/00785/FUL 2_ACTV

Erection of new 4 storey public Art Gallery building with associated archiving and artefact storage linking to existing 1989 Museum and Gallery building, together with works to number 51 Clarence Street including the formation of a new shop front and replacement of the existing ground to first staircase, following demolition of properties at numbers 53 and 55 Clarence Street and two derelict cottages on Chester Walk.

C11/00018/DEMO 26th July 2011 CLOSED

Demolition of Art Gallery and Museum

3. POLICIES AND GUIDANCE

National Planning Policy Framework

Section 16 Conserving and enhancing the historic environment

Saved Local Plan Policies

Adopted Cheltenham Plan Policies

Adopted Joint Core Strategy Policies

SD8 Historic Environment

Supplementary Planning Guidance/Documents

Other

4. CONSULTATIONS

Building Control

1st August 2023 - This application will require Building Regulations approval. Please contact Cheltenham and Tewkesbury Building Control on 01242 264321 for further information.

5. PUBLICITY AND REPRESENTATIONS

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

- 5.1 A site notice was erected near the site and an advertisement was placed in the Gloucestershire Echo. No representations have been received from the publicity to date.
- 5.2 **IMPORTANT NOTE** – The 21 day site notice and the date of overall expiry has not expired for this application. These both expire on 24th August 2023. The application will not be determined before this date.
- 5.3 The application is before Planning Committee in advance of the site notice and date of overall expiry to expedite consideration of the decision. This is required because of the time sensitive nature of external grant funding for the scheme, which expires if works are not completed on site by the end of 2023. In addition, the determination of the application would fall within the target period.
- 5.4 Should negative representations be made on the application after any Planning Committee decision the application will need to return to Planning Committee for further consideration.

6. OFFICER COMMENTS

- 6.1 The Wilson Cheltenham Art Gallery and Museum is a grade II listed building located within the Central Conservation Area.
- 6.2 The proposed works are for internal works within the Victorian Wing to improve display spaces, public access and expand storage facilities. The proposed works include but are not limited to new stud walls for display purposes, replacement of modern doors, internal concealment of window openings and the erection of a mezzanine level within Store 1.

- 6.3** Given the sensitivity of the site and its context, regard needs to be given to the legal and policy context as it applies to heritage assets. 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.
- 6.4** Regarding the proposed internal works, most are considered to be minor in nature and as a result do not affect the special interest of the listed building.
- 6.5** The proposed new stud walls are considered necessary for the function of the building as an art gallery and museum. The new stud walls are limited in extent, only altering the floor plan minimally and do not therefore affecting significance.
- 6.6** The replacement of internal doors affect modern doors that are not of special interest their replacement is therefore not considered to affect significance.
- 6.7** The internal concealment of window openings is required to protect exhibitions from sunlight. This alteration would result in the windows not being visible internally but would not meaningfully affect the external appearance of the listed building. This alteration is considered necessary for the function of the building as an art gallery and museum and importantly is non-permanent and easily reversible at some future date should it be no longer required.
- 6.8** The insertion of a mezzanine floor within Store 1 would subdivide this room horizontally. The works are required to provide additional storage for the art gallery and museum. Notably, the mezzanine is proposed to be kept away from the existing wall on the eastern and western ends of Store 1 to accommodate a staircase and a large museum exhibition storage space at either end. This allows some sense of the original room proportions to be evident. It is also notable the floor level of the mezzanine is proposed to sit in line with the window transoms, avoiding awkward bisection of the window and allowing the mezzanine to be less evident externally. The room is plain so no historic detailing will be affected by the proposed works. This alteration needs to be considered in the context of the Wilson Cheltenham Art Gallery and Museum where room proportions are largely unaltered, in this context the proposed works are a minor alteration to the floor plan.
- 6.9** The proposed works are considered to sustain the significance of heritage assets and give great weight to the asset's conservation by providing minor changes to allow the continued functioning of the listed building as an art gallery and museum. The proposed works are considered to comply with Section 16 of the Planning (Listed Building and Conservation Area) Act 1990, Chapter 16 of the National Planning Policy Framework 2021 and Policy SD8 of the Joint Core Strategy 2017.

7. CONCLUSION AND RECOMMENDATION

- 7.1** It is recommended that the application be granted consent subject to conditions.

- 7.2 The information in section 5. Publicity and Representations of this report needs to be noted prior to any Planning Committee decision.

8. CONDITIONS / INFORMATIVES

- 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 The mezzanine stairs, railings and fixings shall not be installed, implemented or carried out unless in accordance with details, to include but not limited to materials, finish, detailed elevations and cross sections, which shall have been submitted to and approved in writing by the Local Planning Authority. The works shall not be carried out unless in accordance with the details so approved.

Reason: In the interests of the special architectural and historic qualities of the Listed Building, having regard to Policy SD8 of the Joint Core Strategy 2017 and Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990, Chapter 16 of the National Planning Policy Framework and Historic Environment Good Practice Advice (note 2).

- 4 Notwithstanding the submitted details, further clarifying details of the treatment of the floors shall have been submitted to and approved in writing by the Local Planning Authority. The works shall not be carried out unless in accordance with the details so approved.

Reason: In the interests of the special architectural and historic qualities of the Listed Building, having regard to Policy SD8 of the Joint Core Strategy 2017 and Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990, Chapter 16 of the National Planning Policy Framework and Historic Environment Good Practice Advice (note 2).

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.

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